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## FISCAL IMPACT REPORT



SPONSOR: Park DATE TYPED: 02/08/02 HB 429/aHCPAC

SHORT TITLE: Parking and Traffic Citations SB \_\_\_\_\_

ANALYST: Sandoval

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC files

Responses Received

State Highway and Transportation Department (SHTD)

Administrative Office of the Courts (AOC)

Department of Public Safety (DPS)

No Response

Department of Finance and Administration (DFA)

### SUMMARY

Synopsis of HCPAF Amendment.

The House Consumer and Public Affairs Committee amends House Bill 429 by eliminating the requirement that counties and municipalities are to submit all penalty assessment receipts to the State Treasurer for credit to the general fund.

Synopsis of Original Bill

House Bill 429 amends certain sections of the motor vehicle code to authorize payment of penalty assessments by credit card. It also allows law enforcement officers to complete the uniform traffic

citation electronically. This bill specifically recognizes that public employees may be granted special commissions to enforce parking violations. References made throughout this bill by the addition of the word “county”, imply that counties may establish traffic ordinances and handle penalty assessments accordingly.

Significant Issues.

According to the Department of Public Safety, “Electronically preparing traffic citations and paying penalty assessments by credit card should expedite paperwork in this area. Careful consideration must be given to the implied authorization of counties to pass traffic ordinances and keep penalty assessment revenue.”

**FISCAL IMPLICATIONS**

Indeterminate.

**ADMINISTRATIVE IMPLICATIONS**

According to the Administrative Office of the Courts, “There will be a minimal administrative cost for statewide update, distribution, and documentation of statutory changes.”

**TECHNICAL ISSUES**

According to the Department of Public Safety, the amendments in Section 2 of this bill state that counties and municipalities shall remit all penalty assessment receipts to the State Treasurer. However, section 6 of this bill states that penalty assessment revenues under county or municipal programs are to be deposited in the treasury of the county or the municipality. This would appear to be a conflict within the bill.

**OTHER SUBSTANTIVE ISSUES**

According to the State Highway and Transportation Department, automated citations are an initiative for data integration in the improvement of traffic records. Efforts are being coordinated by the department’s Traffic Safety Bureau with other entities involved in the initiation, collection, sharing, storage and delivery of traffic records information.

**POSSIBLE QUESTIONS**

1. How are credit card fees to be paid? (Will there be an additional charge to cover payment by credit card?)
2. Are counties and municipalities to retain revenues generated by traffic citations to be expended as described in section 6 of this bill or are these revenues to be deposited with the State Treasurer as described in section 2 of this bill?

JFS/njw:ar