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## FISCAL IMPACT REPORT

SPONSOR: Vigil DATE TYPED: 2/11/03 HB 351

SHORT TITLE: Fines for Driving Below Safe Minimum Speed SB \_\_\_\_\_

ANALYST: Wilson

### REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY03	FY04			
		Unknown	Recurring	OSF

### SOURCES OF INFORMATION

#### Responses Received From

Administrative Office of the Courts (AOC)  
Department of Public Safety (DPS)  
State Highway and Transportation Department (SHTD)

### SUMMARY

#### Synopsis of Bill

House Bill 351 increases the fine for driving below the safe minimum speed from \$10 to \$25, and changes some technical statutory language

#### Significant Issues

The SHTD supports the concept of maintaining the appropriate minimum safe speed in a vehicle as an important traffic safety consideration. However, a small increase in the fine associated with this offense will likely have any significant deterrent effect.

### FISCAL IMPLICATIONS

SHTD has no information regarding the number of minimum speed offenses for which penalty assessments are issued each year. Presumably, the number is small and the revenue impact will be negligible.

SHTD notes a number of “add-on fees” are associated with any penalty assessment violation. The additional “fees” of either \$33 or \$39 include: \$10 court automation fee; \$3 traffic safety

fee; \$1 judicial education fee; \$5 brain injury services fee; \$10 court facilities fee (\$14 in metropolitan court jurisdictions); and, \$10 local government corrections fee (applicable outside metropolitan court jurisdictions).

The AOC notes there will be a minimal administrative cost for statewide update, distribution, and documentation of statutory changes. They further state the increased fine will cause more people to challenge a charge of driving below the safe minimum speed and will call for increased judicial resources.

### **TECHNICAL ISSUES**

DPS wants serious consideration given to clarification of existing statute to include below posted speed guidelines, and also to include specific wording that vehicles traveling at or slower than the posted speed utilize the rightmost lane of traffic, unless passing or overtaking another vehicle. This may include wording specifically directed at commercial vehicles, such as trucks and buses. Also, this would provide the opportunity for proper signage to further enforce and emphasize the statute. A similar statute exists in Texas and Arizona.

DW/yr:prr