

OFFICE OF FISCAL ANALYSIS

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sHB-5429

AN ACT CONCERNING PEDESTRIAN SAFETY, VISION ZERO COUNCIL, SPEED LIMITS IN MUNICIPALITIES, FINES AND CHARGES FOR CERTAIN VIOLATIONS, THE GREENWAYS COMMEMORATIVE ACCOUNT AND MAINTENANCE WORK ZONE AND SCHOOL ZONE SAFETY ENFORCEMENT.

As Amended by House "A" (LCO 8622)

House Calendar No.: 94

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
State Revenues	Various - Potential Revenue Gain	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal
State Revenues	Various - Revenue Gain	433,144	577,525
Department of Energy and Environmental Protection	Greenways Commemorative Account - Revenue Gain/Cost	Less than 20,000	Less than 20,000
Resources of the General Fund	GF - Revenue Loss	Less than 20,000	Less than 20,000
Treasurer, Debt Serv.	GF - See Below	See Below	See Below

Note: Various=Various; GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 22 \$	FY 23 \$
Various Municipalities	Revenue Gain	274,433	365,910
Various Municipalities	Potential Cost	Minimal	Minimal

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Reviewer: MM

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Explanation

Section 1 expands circumstances where pedestrians have the right-of-way and results in potential revenues to the state from additional fines. As under current law, the bill makes violations subject to up to a \$500 fine. In FY 20, 213 crosswalk violations resulted in fine revenue of \$45,152.

Section 2 establishes a Vision Zero Council to develop a state-wide policy and approach to eliminating all transportation-related fatalities and severe injuries and has no fiscal impact as PA 17-236 prohibits transportation allowances for task force members.

Section 4 creates a new infraction for making physical contact with moving traffic, including pedestrians and cyclists, with a motor vehicle door. This section, to the extent that offenders are fined, results in a potential minimal revenue gain to the General Fund.

Section 5 increases, from \$20 to \$25, the municipal surcharge for certain motor vehicle violations. In FY 20 there were 73,182 of these violations. Assuming this level of violations continues in the future, this section is estimated to generate an additional \$274,433 in FY 22 (three quarters of a year impact due to the October 1 effective date) and \$365,910 in FY 23 (full-year effect) for municipalities.

Sections 6 and 7 provide municipalities authority to establish speed limits on local roads without Office of the State Traffic Administration (OSTA) approval and to establish pedestrian safety zones within their jurisdiction under certain conditions, including a requirement to conduct an engineering study. There is a potential cost to 1) conduct an engineering study for municipalities that choose to set speed limits as described in the bill and 2) erect requisite signage for those municipalities that reduce a speed limit by more than 10 miles per hour.

Section 13 increases the fines for distracted driving from (1) \$150 to \$200 for a first violation, (2) \$300 to \$375 for a second violation, and (3)

\$500 to \$625 for a third or subsequent violation. In FY 20 there were 11,438 of these violations. Assuming this level of violations continues in the future, this section is estimated to generate an additional \$433,144 in FY 22 (three quarters of a year impact due to the October 1 effective date) and \$577,525 in FY 23 (full-year effect) in revenues to the state.

Section 14 codifies regulations regarding greenway commemorative license plate fees and establishes the "greenways commemorative account" as a separate, nonlapsing account within the General Fund. It directs a portion of plate fees to this account and requires the Department of Energy and Environmental Protection (DEEP) to use this account to provide supplementary funding to the (1) greenways and, (2) bikeways, pedestrian walkways, recreational trail and greenway capital grant programs.

It is estimated that less than \$20,000 annually would continue to be generated from the issuance of these plates and the bill redirects DEEP's portion to the new greenways account where a commensurate amount would be expended, resulting in a net cost to the General Fund because this revenue would now be subject to spending by DEEP.

To date, \$13 million of General Obligation (GO) bonds have been authorized for the greenways program described above. As of March 1, 2021, the unallocated bond balance available to the program is \$3 million. The bill does not change GO bond authorizations relevant to the program. The Governor's proposed bond bill (GB 887) includes \$3 million of new GO bond authorization for the program in each of FY 22 and FY 23.

Future General Fund debt service costs may be altered under the terms of the bill to the degree that it causes authorized GO bond funds to be expended differently than they otherwise would have been. If the new revenues from the bill supplant the use of existing bond funds, there would be a slight reduction in future debt service costs. If these new funds lead to new or more rapid use of existing bond funds,

debt service costs could be accelerated.

The other sections of the bill are technical, make conforming changes, or otherwise do not have a fiscal impact to the state or municipalities.

House "A" eliminates the bill and its associated impact and results in the impact described above.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, the number of violations, and the terms of any bonds issued.