

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6023

BILL NUMBER: SB 30

NOTE PREPARED: Oct 4, 2023

BILL AMENDED:

SUBJECT: School Bus Stop Arm Violation Enforcement.

FIRST AUTHOR: Sen. Niemeyer

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that the registered owner of a vehicle commits an infraction if the registered owner's vehicle does not stop on a roadway or a private road when the school bus arm signal device is in the device's extended position. It provides a defense for a registered owner who was not driving the vehicle at the time of the violation. The bill requires a registered owner who uses a defense to provide any documentation, and to fully cooperate with law enforcement regarding the person who may be responsible for the violation. It specifies that: (1) the Bureau of Motor Vehicles (BMV) may not assess points for a violation; and (2) an adjudication for a violation does not create a presumption of liability in a civil action.

Effective Date: July 1, 2024.

Explanation of State Expenditures: This bill specifies that the BMV may not assess points to registered owners of vehicles for school bus stop arm violations who were not operating a vehicle during the commission of the offense. This provision is expected to have no impact on agency workload as individuals are currently only issued points for the commission of a moving violation.

Explanation of State Revenues: This bill provides that a registered owner of a vehicle that passes a school bus with an extended stop arm commits a Class B infraction, depending on circumstances outlined in the bill. Under current law, an individual who operates a vehicle that passes a school bus with an extended stop arm commits a Class A infraction under IC 9-21-12-1. As a result of this bill, there could be additional individuals charged with Class B infraction violations that were not operating, but are the registered owner of, a vehicle that illegally passes a school bus.

Penalty Provision: The maximum judgment for a Class B infraction is \$1,000, which would be deposited in the state General Fund. The total court fee revenue per case would range between \$85.50 and \$103. The amount of court fees deposited will vary depending on whether the case is filed in a court of record or a municipal court. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

If a criminal action, infraction or ordinance violation involves a traffic violation, including this proposed offense, additional fees may be assessed.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a judgment is entered, more revenue will be collected by certain local units. If the case is filed in a court of record, the county will receive \$33.90 and qualifying municipalities will receive a share of \$2.10. If the case is filed in a municipal court, the county receives \$20, and the municipality will receive \$33.50. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

State Agencies Affected: BMV.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Supreme Court, Indiana Trial Court Fee Manual

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