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FISCAL IMPACT STATEMENT

LS 6456
BILL NUMBER: SB 156

NOTE PREPARED: Feb 21, 2022
BILL AMENDED: Jan 27, 2022

SUBJECT: Motor Vehicle Crash Investigations.

FIRST AUTHOR: Sen. Crider
FIRST SPONSOR: Rep. Pressel

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

- (1) Changes the property damage requirement to \$2,500 (current law is \$1,000) for certain failures to provide evidence of financial responsibility following a motor vehicle accident.
- (2) Changes the apparent damage requirement for a law enforcement officer to investigate motor vehicle accidents involving property damage to \$2,500 (current law is \$1,000).
- (3) Provides that a law enforcement officer shall assist operators with the requirements of IC 9-26-1-1.1 under certain circumstances.
- (4) Adds certain infractions and offenses to the list of violations enforceable by weigh station supervisors or operators.

Effective Date: July 1, 2022.

Explanation of State Expenditures: To the extent increasing property damage requirements where law enforcement agencies are required to investigate a motor vehicle accident decreases demand for inspections, the workload of the Indiana State Police (ISP) will decrease.

Additionally, the bill could decrease the number of license suspensions BMV performs related to failure to provide proof of financial responsibility. Decreases in BMV workload is expected to be minimal.

Explanation of State Revenues: Summary - This bill could reduce revenue to the State Highway Fund (by way of the Motor Vehicle Highway Account) and the Financial Responsibility Compliance Verification Fund. The bill could also increase revenue to the General Fund from potential increases in Class C infraction

judgments. The bill's total impact on state revenue is expected to be minimal.

Additional Information -

License Reinstatement Fees: This bill could reduce the number of individuals who have their driver's license suspended as a result of failure to maintain financial responsibility. Currently, a set amount of each reinstatement fee is deposited into the Financial Responsibility Compliance Verification Fund, while the remaining portion is deposited into the Motor Vehicle Highway Account (MVHA).

The current fees paid for a license reinstatement after suspension for failure to maintain financial responsibility are as follows:

| Suspension | Total Fee | Motor Vehicle Highway Account | Financial Responsibility Compliance Verification Fund |
|-----------------------------|-----------|-------------------------------|---|
| First Offense | \$250 | \$130 | \$120 |
| Second Offense | \$500 | \$305 | \$195 |
| Third or Subsequent Offense | \$1,000 | \$730 | \$270 |

Weigh Station Enforcement: The bill allows qualified persons who operate ISP weigh stations to also enforce provisions in current law governing the use of a telecommunication device while driving and medical restrictions for licensed drivers. As a result, the number of Class C infractions could increase. There are 10 weigh stations located in the state. The maximum judgment for a Class C infraction is \$500, which would be deposited in the state General Fund.

Explanation of Local Expenditures: Under the bill, law enforcement officers would no longer be required to investigate a motor vehicle accident if the total property damages are less than \$2,500 (current law requires an inspection for damages in excess of \$1,000). The bill could decrease local law enforcement workload to investigate accidents with property damage between \$1,000 and \$2,500, but would still require law enforcement officers to verify motorists comply with other duties when involved in an accident. The bill is expected to have a minimal impact on local law enforcement workload.

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small. Additionally, any revenue reduction to the MVHA will impact funding distributions to local units of government. The bill's impact on local MVHA funding is expected to be minimal.

State Agencies Affected: ISP, BMV.

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

Information Sources: Indiana State Police Size and Weight Enforcement Division; <https://www.in.gov/isp/commands/commercial-vehicle-enforcement/size-and-weight-enforcement>

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