



VERMONT LEGISLATIVE Joint Fiscal Office

1 Baldwin Street • Montpelier, VT 05633-5701 • (802) 828-2295 • <https://ljfo.vermont.gov>

Fiscal Note

May 21, 2024

Logan Mooberry, Fiscal Analyst

S.184 (Act 135) – An act relating to the temporary use of automated traffic law enforcement (ATLE) systems

As Enacted

Bill Summary

This bill proposes to amend 23 V.S.A Ch. 15 and 4 V.S.A. § 1102 to authorize the temporary use of automated traffic law enforcement (ATLE) systems for the enforcement of monetary civil penalties relating to speeding violations in work zones on highways over which the Agency of Transportation (AOT) has jurisdiction.

Fiscal Impact

The Joint Fiscal Office (JFO) estimates this bill will have a de minimis impact on State revenues.

The proposed intended use of ATLE systems is to provide automated law enforcement for speeding violations in instances where on-site conditions or insufficient staffing hinder traditional in-person enforcement methods. ATLE systems may only be used at a location in the vicinity of a work zone on a limited access highway that is under the jurisdiction of AOT and complies with the additional requirements laid out in this section. AOT is required to seek federal funding to operate these ATLE systems. If funding cannot be secured by June 30th, 2025 the program is to be repealed one day after enactment.

Speeding violations associated with an ATLE system will incur a monetary civil penalty that is levied on the registered owner of the motor vehicle. Monetary penalties range depending on the number of violations incurred within a 12-month period. There is no penalty for a first violation and the first violation is exempt from surcharges under 13 V.S.A. § 7282. \$80 is levied for a second violation within 12 months and \$160 is levied for a third or subsequent violation within 12 months. The underlying penalty amount would accrue to the Transportation Fund. The second and all subsequent violation penalties are subject to the judicial surcharges mentioned above.¹

	Penalty	Judicial Surcharges*	Total
1st Violation	\$0	Exempt	\$0
2nd Violation	\$80	\$59	\$139
3+ Violations	\$160	\$71	\$231

*These judicial surcharges are existing charges created under 13 V.S.A § 7282(a) and are not modified by this bill.

¹ Per 13 V.S.A. § 7282, violations are assessed a \$47 Judicial Bureau surcharge (\$33.50 to the Victims Compensation Special Fund, \$13.50 to the Domestic and Sexual Violence Special Fund), plus a restitution surcharge of 15% of the fine imposed which is deposited in the Crime Victims' Restitution Special Fund. Other Judicial Bureau surcharges may also apply for failure to answer or failure to pay.

JFO is unable to determine the exact fiscal impact associated with this bill since it is not possible to predict future violation issuance volume and patterns, but given the limited scope of use and the fact that monetary penalties are only charged after a second violation within 12 months, any fiscal impacts are likely to be de minimis.