

STATE and LOCAL FISCAL IMPACT

Drafting Number: LLS 10-0518**Date:** March 16, 2010**Prime Sponsor(s):** Rep. Curry
Sen. Schwartz**Bill Status:** House Transportation and Energy**Fiscal Analyst:** David Porter (303-866-4375)**TITLE:** CONCERNING WILDLIFE CROSSING ZONES.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
Cash Funds		
Multiple Cash Funds - Penalties and Surcharges	<\$ 5,000	<\$ 5,000
State Expenditures		
General Fund*	\$ 4,708	\$ 0
Cash Funds		
State Highway Fund	Potential Increase	Potential Increase
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2010-2011: None required.		
Local Government Impact: See Local Government Impact section.		

* No separate appropriation of these funds is required because of ongoing appropriations to the Department of Revenue for computer programming provided in the Long Bill for new legislation.

Summary of Legislation

This bill permits the Department of Transportation to establish wildlife crossing zones (zones) on public highways in the state in which moving violation penalties and surcharges are doubled. Zones are to be determined in consultation with the Division of Wildlife in the Department of Natural Resources. The bill specifies the following about the zones:

- P signs must designate the zone boundaries, any reduced speed limit, and that penalties increase for moving violations;
- P no more than 100 total miles of public highways can be designated as a zone; and
- P zones may be established within federal highways of the state provided the federal government authorizes them.

When creating a zone with a reduced speed limit, the departments must consider accidents due to wildlife, traffic congestion, and daytime and nighttime variations in wildlife activity. The zone may be in effect during certain times, if appropriate.

Finally, the Department of Transportation is required to report certain information about the zones to the General Assembly, including the number of miles of reduced speed limits, the impact of zones on accidents, and the department's recommendation for continued use of zones. The report is to be prepared by March 1, 2012.

State Revenue

Penalties and Surcharges. The increase in state revenue is unknown, but is expected to be less than \$5,000 annually. Revenue will increase due to the doubling of penalty and surcharge amounts for moving traffic violations committed in the zones. Reducing the speed limit in the zones could also result in a number of new speeding tickets being issued. An estimate of the increased penalty and surcharge revenue has not been made in this fiscal note.

Penalty revenue is credited to the Highway Users Tax Fund (HUTF) and distributed to the state, counties, and municipalities for highway purposes. Surcharge revenue is split evenly between the Victims and Witnesses Assistance and Law Enforcement Fund and the Crime Victim Compensation Fund and is distributed to victims and witnesses.

State Expenditures

State expenditures are **at least \$4,708 in FY 2010-11**. Expenditures are for programming in the Department of Revenue. The Department of Transportation may have costs for signs.

Department of Revenue (\$4,708). The department requires 120 hours of programming at \$39.23 per hour. The programming is to add a new type of citation and account for traffic violations that occur in zones. This change facilitates the No appropriation is necessary for computer programming costs because of ongoing appropriations to the department provided in the Long Bill for new legislation.

Department of Transportation. The department has costs associated with signs for the zones. At a minimum, each zone will have 4 signs, 2 in each direction. Each sign is estimated to cost \$800, for a minimum cost of \$3,200 per zone. Sign costs are paid from the continuously appropriated State Highway Fund. The reporting requirements are expected to be accomplished within existing appropriations.

Local Government Impact

Due to the possible increase in penalties, this bill may increase HUTF fine revenue distributions to local governments. Counties and municipalities receive 35 percent of HUTF fine revenue for highway purposes.

Departments Contacted

Transportation
Judicial

Revenue
Public Safety

Natural Resources