

February 16, 2011

The Honorable Gary Hayzlett, Chairperson
House Committee on Transportation
Statehouse, Room 274-W
Topeka, Kansas 66612

Dear Representative Hayzlett:

SUBJECT: Fiscal Note for HB 2192 by House Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2192 is respectfully submitted to your committee.

HB 2192 would move all sections of the Safety Belt Use Act into the Uniform Act Regulating Traffic on Highways. The bill would also make penalty provisions for seat belt violations uniform throughout Kansas. This would prohibit any city, county, subdivision, or local authority from enacting or enforcing any law, ordinance, rule, regulation, or resolution in conflict with, in addition to, or supplemental to, the state seat belt law. The bill also clarifies that no court costs could be imposed for a conviction of violating the state seat belt law.

The Kansas Department of Transportation states that passage of HB 2192 would have no fiscal effect to agency operations. The Office of Judicial Administration indicates the bill would no longer allow court costs to be included in the particular fines assessed for seat belt violations. Because the distribution percentages to various funds are different for court costs and fines, passage of HB 2192 could change the distribution rates applied by district courts when collecting and distributing fines for seatbelt violations. According to the Office of Judicial Administration, because seat belt violations are often accompanied by another traffic violation for which court costs would be charged, passage of HB 2192 is expected to have a negligible fiscal effect to the Judicial Branch.

The League of Kansas Municipalities states there would be a fiscal effect to cities in the state that have adopted different provisions regarding the imposition of court costs when the violation is prosecuted in municipal court. The League does not know how many cities may have done this, nor is it known what court costs are being imposed under current law; it is not

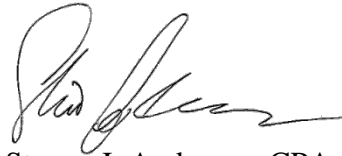
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possible to quantify the precise fiscal effect upon Kansas cities. Any fiscal effect associated with HB 2192 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", written in a cursive style.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Ben Cleeves, Transportation
Larry Baer, League of Municipalities
Mary Rinehart, Judiciary