

January 26, 2017

The Honorable Richard Proehl, Chairperson
House Committee on Transportation
Statehouse, Room 581-W
Topeka, Kansas 66612

Dear Representative Proehl:

SUBJECT: Fiscal Note for HB 2040 by House Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2040 is respectfully submitted to your committee.

HB 2040 would require a law enforcement officer to deliver a written citation to a person charged with the illegal overtaking and passing of a school bus as evidenced by a recorded image and sent by certified mail to the last known address of the person charged. The bill would establish that a second violation of the bill's provision within five years after a prior conviction would result in a \$750 fine. A third or subsequent conviction, within five years after two prior convictions, would result in a \$1,000 fine.

According to the Office of Judicial Administration, HB 2040 could increase the number of cases filed under the bill's provisions, which could cause judicial and non-judicial staff to spend more time processing, researching, and hearing cases. The bill could also result in the collection of docket fees from those cases filed under the provisions of HB 2040. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined.

The Kansas Department of Transportation states passage of HB 2040 could result in additional federal reporting on automated enforcement; however, any fiscal effect to agency operations would be negligible. The Kansas Department of Revenue indicates passage of HB 2040 would require a change to motor vehicle reports and to the driver's license system to add a new code for improper passing of a school bus at a total cost of \$1,401 in FY 2018. Any fiscal effect associated with HB 2040 is not reflected in *The FY 2018 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary
Scott Schultz, Sentencing Commission
Ben Cleaves, Transportation