



# Ohio Legislative Service Commission

Sara D. Anderson

## Fiscal Note & Local Impact Statement

**Bill:** Am. S.B. 36 of the 129th G.A.

**Date:** April 4, 2011

**Status:** As Reported by Senate Highways & Transportation

**Sponsor:** Sen. Hughes

**Local Impact Statement Procedure Required:** No

**Contents:** Failure to yield to a public safety vehicle

### State Fiscal Highlights

#### STATE FUND

#### FY 2012 – FUTURE YEARS

##### Indigent Defense Support Fund (Fund 5DY0)

Revenues Potential negligible annual gain in locally collected state court costs

Expenditures - 0 -

##### Victims of Crime/Reparations Fund (Fund 4020)

Revenues Potential negligible annual gain in locally collected state court costs

Expenditures - 0 -

Note: The state fiscal year is July 1 through June 30. For example, FY 2012 is July 1, 2011 – June 30, 2012.

- **Court cost revenues.** As a result of the bill, additional persons may be cited and convicted of certain traffic violations statewide. The court would then generally impose court costs and fines to be paid by the offender, and the state could collect negligible additional revenues annually in the form of locally collected state court costs that would be deposited to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).

# Local Fiscal Highlights

**LOCAL GOVERNMENT**

**FY 2011 – FUTURE YEARS**

---

**Counties and Municipalities (law enforcement, prosecutors, municipal and county courts)**

---

Revenues	Potential minimal annual gain in court costs and fines
Expenditures	Potential minimal annual increase to investigate, prosecute, and adjudicate reported traffic law violations

---

**Townships (police departments)**

---

Revenues	- 0 -
Expenditures	Potential minimal annual increase to investigate reported traffic law violations

---

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- **Counties and municipalities.** As a result of the bill, a few additional persons may be cited and convicted of certain traffic violations in any given local jurisdiction, which means counties and municipalities may gain minimal additional annual revenues in the form of court costs and fines imposed on the offender. Counties and municipalities may also incur additional minimal costs as reported traffic law violations might be investigated by law enforcement and the alleged violators may subsequently be prosecuted and sanctioned.
- **Townships.** Township law enforcement agencies may incur additional minimal annual costs to investigate traffic violation reports received from emergency personnel operating certain public safety vehicles.

---

## Detailed Fiscal Analysis

The bill: (1) allows emergency personnel in certain public safety vehicles to report traffic law violations, and (2) permits a law enforcement agency, when it receives a report from emergency personnel operating a public safety vehicle, to conduct an investigation of the alleged violation. LSC fiscal staff has learned that it is fairly commonplace for motor vehicles to fail to yield the right-of-way to public safety vehicles. That said, it is difficult to predict the frequency with which emergency personnel may report a violation; however, it is plausible that at least some emergency personnel would exercise the new authority granted under the bill and report violations.

### State and local revenues

As a result of emergency personnel reporting traffic violations, additional persons may be investigated, cited, and convicted of certain traffic violations. The likely number of additional traffic violation convictions per year in any given local jurisdiction is likely to be relatively small. In these cases, the court generally imposes court costs and fines upon that person that are then paid to the state and appropriate local jurisdictions. This bill may generate a negligible annual gain in locally collected state court costs deposited to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020), and counties and municipalities may gain a minimal amount annually in the form of court costs and fines.

### Local law enforcement, prosecutors, and courts

As noted, the bill permits law enforcement agencies to investigate any report received from emergency personnel operating certain public safety vehicles. This provision, at a minimum, could create additional investigatory expenditures for law enforcement agencies (county sheriffs, municipal and township police departments), the annual cost of which is likely to be no more than minimal. If the investigation results in a citation being issued and some of those cases proceed to a hearing, it may minimally increase the annual costs that counties and municipalities incur in prosecuting and adjudicating the matter.