



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: S.B. 123 of the 131st G.A. **Date:** June 16, 2015
Status: As Reported by Senate State & Local Government **Sponsor:** Sen. Hughes

Local Impact Statement Procedure Required: No

Contents: Failure to yield the right-of-way to a public safety vehicle

State Fiscal Highlights

- The bill may generate a negligible annual gain in locally collected state court costs deposited into the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).

Local Fiscal Highlights

- In any given local jurisdiction, a few additional persons may be cited and convicted of failing to yield the right-of-way to a public safety vehicle, which means counties and municipalities may gain negligible annual revenues in the form of court costs, fees, and fines imposed on the violator. There should be little, if any, discernible ongoing costs for law enforcement, courts, and prosecutors to handle these matters.

Detailed Fiscal Analysis

The bill: (1) allows emergency personnel in certain public safety vehicles, when a motor vehicle operator fails to yield the right-of-way and impedes the ability of the public safety vehicle to respond to an emergency, to report that violation, and (2) permits law enforcement agencies to conduct an investigation of the alleged violation and to issue a written warning or citation, as appropriate. The bill specifies that the offense of failing to yield the right-of-way to certain public safety vehicles is a minor misdemeanor and subject to a fine of \$150.

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

If emergency personnel choose to utilize their authority to report violations of failing to yield the right-of-way to certain public safety vehicles, there may be a relatively small increase in the number of traffic law violation citations issued. In these cases, the court generally imposes court costs, fees, and fines without that person having to make a court appearance, and subsequent to being collected, apportioned between the state and the appropriate local jurisdiction(s). As a result, the bill may generate a negligible annual gain in locally collected state court costs which are deposited into the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020). Counties and municipalities may also gain a negligible amount of revenue annually in the form of court costs, fees, and fines.

Local law enforcement, prosecutors, and courts

The bill permits law enforcement agencies to investigate any report received from emergency personnel operating certain public safety vehicles. If an investigation results in the issuance of a citation that is contested, then the municipal, county, or mayor's court with jurisdiction over the matter will have to schedule a hearing, the case will be assigned to the appropriate local prosecutor. The emergency personnel that reported, and the law enforcement personnel that investigated, the violation will also be required to make an appearance. There should be little, if any, discernible ongoing costs for these personnel and units of local government to handle these violations.