



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: S.B. 123 of the 131st G.A. **Date:** May 11, 2016
Status: As Reported by House Armed Services, Veteran Affairs, and Public Safety **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 to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).

Local Fiscal Highlights

- **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 negligible annual revenues in the form of court costs, fees, 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, when a motor vehicle operator fails to yield right-of-way to the public safety vehicle, to report that violation and other traffic law violations, 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 a first offense of failing to yield the right-of-way to certain public safety vehicles is subject to a written warning, while subsequent offenses would result in a citation for a minor misdemeanor and 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 traffic law violations, 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 to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020). Counties and municipalities may also gain a minimal 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. This provision may create additional investigatory expenditures for law enforcement agencies that choose to investigate any reports they receive, the annual cost of which is likely to be no more than minimal. If an investigation results in the issuance of a citation and that citation is contested and requires a hearing, the bill may minimally increase the annual costs that counties and municipalities incur in prosecuting and adjudicating traffic law violations. These costs may be offset to some degree by the court costs, fees, and fines collected from offenders.