

February 25, 2019

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

Dear Representative Proehl:

SUBJECT: Fiscal Note for HB 2277 by Representative Vickrey

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2277 is respectfully submitted to your committee.

Under HB 2277, any person convicted of right-of-way violations regarding approaching or entering intersections, making left turns at intersections, stopping or yielding at intersections, entering or crossing roadways and yielding and proceeding cautiously in highway constructions zones would be guilty of an unclassified misdemeanor punishable by being required to take 16 hours of driver's education. Any vehicle accident or collision causing bodily harm to another person would result in a fine of up to \$500. Any vehicle accident or collision causing the death of another person would result in a fine of up to \$1,000. Any vehicle accident or collision causing the death of another person would result in 200 hours of community service if the offender was also convicted of driving under the influence or texting while driving. Offenders would not be eligible to enter into diversion agreements.

The bill would define "driver's education" to mean a program approved by the Secretary of Transportation. Costs for the program would be funded by the Driver's Education Fund, which would be a new fund created by the bill and administered by the Kansas Department of Transportation (KDOT). Beginning on and after July 1, 2019, \$125 from each fine imposed as a result of the provisions of the bill would be remitted to the Driver's Education Fund.

Estimated State Fiscal Effect				
	FY 2019 SGF	FY 2019 All Funds	FY 2020 SGF	FY 2020 All Funds
Revenue	--	--	--	\$750,000
Expenditure	--	--	--	\$2,555,385
FTE Pos.	--	--	--	2.00

KDOT estimates HB 2277 would result in additional revenue of approximately \$750,000 to the Driver's Education Fund in FY 2020 and beyond. Agency statistics indicate that about 6,000 crashes annually list failure to yield the right-of-way as a contributing factor. The estimate assumes all right-of-way violations causing an accident or collision would result in a fine that contributes \$125 to the Driver's Education Fund (6,000 crashes X \$125 = 750,000). The Department notes that its estimate represents the upper range of what could be collected since not all right-of-way crashes result in bodily harm or death. Additionally, the bill does not set minimum limits for the fines meaning the possibility exists that fines imposed by the bill could be less than \$125.

KDOT estimates that providing driver's education training would require additional expenditures of \$2.4 million. Based on the agency's research, commercial providers of driver's education programs charge about \$400 per individual. To carry out the bill, KDOT would be required to pay a commercial provider for any individual mandated to attend the training (\$400 per individual X 6,000 individuals = \$2.4 million).

KDOT indicates it also would require additional expenditures of \$155,385 in FY 2020 to manage the Driver's Education Fund and the training, development, implementation and oversight of the new program. Of this amount, \$140,345 would be for the salaries and wages of 2.00 new Program Consultant FTE positions and \$15,040 would be for other operating expenditures such as travel, office equipment, supplies and information technology. Altogether, KDOT would require additional expenditures totaling \$2,555,385 for FY 2020. Any fiscal effect associated with HB 2277 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. L. Campbell". The signature is fluid and cursive, with the first name "L." and last name "Campbell" clearly legible.

Larry L. Campbell
Director of the Budget

cc: Janie Harris, Judiciary
Ben Cleaves, Transportation