



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0199 Amended by the Senate on March 9, 2017
Author: Bryant
Subject: Required Stops for Vehicles for School Buses
Requestor: Senate Transportation
RFA Analyst(s): Gardner and Heineman
Impact Date: March 21, 2017 - Updated for Additional Agency Response

Estimate of Fiscal Impact

	FY 2017-18	FY 2018-19
State Expenditure		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	Undetermined	\$0
Other and Federal	\$0	\$0
Local Expenditure	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

This bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

The Department of Public Safety anticipates the bill will generate revenue due to the creation of a new offense and related civil penalty. However, the number of citations that were issued due to photographic, digital, or video evidence is unknown. Therefore, the amount of revenue that may be generated is undetermined.

Explanation of Fiscal Impact

Amended by the Senate on March 9, 2017

Updated for Revised Agency Response

State Expenditure

This bill as amended authorizes the Department of Public Safety (DPS) to issue a civil penalty citation to the registered owner of a vehicle that has unlawfully met or overtaken a school bus, based on DPS' inspection of photographs, microphotographs, videotape, or other digitally recorded images produced by a digital recording system mounted on a school bus. The first civil penalty citation may not exceed \$250, and each subsequent civil penalty citation may not exceed \$500. The registered owner of the vehicle will not be responsible for the citation provided that, within thirty days after receiving notice of the citation, he provides (DPS) with an affidavit that the vehicle was not under his care, custody, or control at the time of the violation or the vehicle was stolen. The affidavit must contain the name and address of the person or company having custody or control of the vehicle at the time of the violation, or evidence that the vehicle was insured at the time of the violation, and a police report that confirms the vehicle was stolen. Civil

penalty citations must be sent to owners of registered vehicles by first-class mail and include information on how the citation can be challenged. DPS must include a form affidavit with the citation, along with an explanation of the purpose of the affidavit and instructions on how to complete and return the affidavit to DPS. The explanation is required to be written in plain and ordinary language. The registered owner of a vehicle who receives a civil penalty citation under these provisions will not receive points for violations.

Department of Public Safety. This bill enables the department to use photographic, digital, or video evidence to assess the registered owner of a vehicle that has unlawfully passed a school bus a civil penalty. The penalty may be assessed based upon DPS' review of images digitally recorded by a system mounted on a school bus. DPS is required to send a citation for the violation to the registered owner of the vehicle by first class mail, along with an affidavit form and instructions for challenging the citation. The department expects to manage the work and supply cost associated with this bill with existing resources, as long as implementation is gradual.

State Revenue

The Department of Public Safety anticipates the bill will generate revenue due to the creation of a new civil penalty. Civil penalties may not exceed \$250 for a first offense and may not exceed \$500 for a second or subsequent offense. In FY 2016, the Highway Patrol wrote 46 citations for passing a stopped school bus, and the Department of Motor Vehicles reported 106 convictions statewide. However, the number of these citations that were issued due to photographic, digital, or video evidence is unknown. Therefore, the amount of revenue that may be generated is undetermined.

Local Expenditure

Local school districts send photographic, digital, or video evidence of a vehicle that has unlawfully passed a school bus to a Highway Patrol liaison officer with the Department of Education. Since this information is already transmitted to DPS, this bill will have no additional expenditure impact on local school districts. Only a small number of buses are equipped with recording devices capable of recording these images.

Local Revenue

N/A

Introduced on January 10, 2017

State Expenditure

This bill relates to traffic regulation and provides that the Department of Public Safety may, after inspecting photographs, microphotographs, videotape, or other digitally recorded images produced by a digital recording system mounted on a school bus, issue a civil penalty citation to the registered owner of a vehicle that has unlawfully met or overtaken a school bus. The first civil penalty citation may not exceed two hundred and fifty dollars, and each subsequent civil penalty citation may not exceed five hundred dollars. The registered owner of the vehicle will not be responsible for payment of the civil penalty provided that, within thirty days after receiving notice of the citation, he provides the magistrate court in the county where the violation occurred with either an affidavit containing the name and address of the person or company having custody or control of the vehicle at the time of the violation, or an affidavit stating that

the vehicle was stolen at the time of the violation, evidence that the vehicle was insured at the time of the violation, and a police report confirming that the vehicle was stolen. The registered owner of a vehicle who receives a civil penalty citation under these provisions will not receive points for violations. Civil penalty citations must be sent to owners of registered vehicles via first-class mail and include information on how the citation can be appealed.

Department of Public Safety. The expenditure impact is undetermined, pending a response from the agency.

State Revenue

The state revenue impact is undetermined, pending a response from the Department of Public Safety.

Local Expenditure

N/A

Local Revenue

The local revenue impact is undetermined, pending a response from local law enforcement agencies.



Frank A. Rainwater, Executive Director