SF 389 – Motor Vehicles, Use of Left Lane (LSB1079XS)
Analyst: Adam Broich (515.281.8223) adam.broich@legis.iowa.gov
Fiscal Note Version – Revised

Description
Senate File 389 requires a person operating a vehicle in the left-most lane of the roadway to make a lane change to the immediate right if the person knows or should know that a car will overtake the person’s vehicle. Exemptions apply to road construction workers or emergency personnel in the course of duties, when traffic conditions prevent a lane change, when there is a legally established obstruction such as a traffic-control device, and when exiting on the left of the roadway.

Background
In FY 2018, there were 25 violations for passing on the wrong side under Iowa Code section 321.299(1) and 37 violations for failing to yield to a passing vehicle under Iowa Code section 321.299(2). The scheduled fine for both of these violations is $100.

A criminal penalty surcharge is applied to the scheduled fine. Ninety-five percent of the surcharge goes to the State. Of the State’s share, 83.0% goes to the General Fund and 17.0% to the Victim Compensation Fund. The remaining 5.0% of the surcharge goes to the city or county where the infraction occurred.

Assumptions
• Citations will increase under SF 389 due to the creation of a new violation. This Fiscal Note provides examples for 162, 312, and 562 convictions under Iowa Code section 321.299.
• The estimated collection rate for fines for violations is 63.8%.

Fiscal Impact
The quantity of increased convictions for violations of Iowa Code section 321.299 due to this Bill cannot be estimated. However, Table 1 provides three examples of possible increases in fine revenue. The table includes estimated increases in fine revenue for an additional 100, 250, and 500 convictions. The estimates range from increases of approximately $12,500, based on an increase of 100 convictions, to $62,400, based on an increase of 500 convictions.
The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov