



SF 389 – Motor Vehicles, Use of Left Lane (LSB1079XS)
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 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.

Single Citation – 321.299	
Penalty	\$ 100
Surcharge (35.0%)	35
Court Cost	60
Total	\$ 195

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.

Table 1 – Range of Annual Estimated Fine Revenue Under SF 389

	<u>Current Law*</u>	<u>Potential Increase in Convictions</u>		
	<u>Est. FY 2019</u>	<u>+100 Convictions</u>	<u>+250 Convictions</u>	<u>+500 Convictions</u>
General Fund				
Penalty Revenue	\$ 4,000	\$ 6,000	\$ 16,000	\$ 32,000
Surcharge Revenue	1,000	2,000	4,000	9,000
Court Costs	2,000	4,000	10,000	19,000
Subtotal	<u>\$ 7,000</u>	<u>\$ 12,000</u>	<u>\$ 30,000</u>	<u>\$ 60,000</u>
Other				
Victim Comp. Fund	\$ 200	\$ 400	\$ 900	\$ 1,800
Local Jurisdiction	100	100	300	600
Subtotal	<u>\$ 300</u>	<u>\$ 500</u>	<u>\$ 1,200</u>	<u>\$ 2,400</u>
Total	<u>\$ 7,300</u>	<u>\$ 12,500</u>	<u>\$ 31,200</u>	<u>\$ 62,400</u>
*Based on FY 2018 convictions.				

Sources

Department of Human Rights, Division of Criminal and Juvenile Justice Planning
LSA analysis and calculations

/s/ Holly M. Lyons

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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.