

FILED FEB 22 2006

SENATE FILE 2254
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 3024)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to scheduled fines for violations of motor
2 carrier safety rules.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2254

1 Section 1. Section 805.8A, subsection 13, paragraph b,
2 Code Supplement 2005, is amended to read as follows:

3 b. For a violation of motor vehicle safety and equipment
4 rules adopted under section 321.449, the scheduled fine is
5 ~~twenty-five~~ fifty dollars. For a violation of rules
6 applicable to a driver under section 321.449, the scheduled
7 fine is one hundred dollars.

8 EXPLANATION

9 This bill increases the scheduled fines for violations of
10 motor carrier safety rules adopted by the state department of
11 transportation consistent with federal law. For a violation
12 of a rule relating to a commercial vehicle, such as an
13 equipment violation, the scheduled fine is \$50. For a
14 violation of a rule applicable to the driver of a commercial
15 vehicle, such as a violation relating to hours of service,
16 alcohol, or physical and medical qualifications, the scheduled
17 fine is \$100. Any violation of motor carrier safety rules is
18 a simple misdemeanor, currently subject to a fine of \$25.

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Fiscal Services Division
Legislative Services Agency
Fiscal Note

SF 2254 – Commercial Motor Vehicle Violations (LSB 5389 SV)

Analyst: Mary Beth Mellick (Phone: (515) 281-8223) (marybeth.mellick@legis.state.ia.us)

Fiscal Note Version – New

Description

Senate File 2254 increases scheduled fines for violation of certain motor carrier safety rules:

- For an equipment violation, an increase from \$25 to \$50.
- For a driver violation, an increase from \$25 to \$100.

Assumptions

1. This analysis is based on information obtained from the Justice Data Warehouse, which includes statewide court information.
2. Revenue estimates are based on FY 2005 convictions, current fine amounts, and the most recent collection rates.
3. Convictions will not change over the projection period.
4. In FY 2005, there were 34,428 convictions for motor carrier safety violations, of which 25,748 were for equipment violations and 8,680 were for driver violations.
5. The fees collected for convictions of motor carrier safety violations include the fine, surcharge fee (32.0% applied in addition to the fine amount), and court costs. Surcharge fees, in addition to the fines, will increase under the proposed legislation, but court costs will remain constant.
6. The total amount collected from the fine is deposited into the Road Use Tax Fund. Of the total amount collected from the surcharge fee, 5.0% is deposited into the General Fund of the county in which the citation was issued, and 95.0% is distributed as follows: 83.0% is deposited into the State General Fund, and 17.0% into the State Victim's Compensation Fund.
7. The collection rate will decrease in the first year due to the increase in fines.
8. Revenues are projected out over three years to reflect the length of time for the fine increase to catch up with the collection rate.
9. The law will take effect on July 1, 2006.

Fiscal Impact

Road Use Tax Fund

An estimated increase in revenue due to the increase in fines collected from motor carrier safety violations:

- **Year 1:** \$795,000
- **Year 2:** \$959,000
- **Year 3:** \$1.0 million

Other Funds

An estimated increase in revenue due to the increase in the amount collected from surcharge fees:

- **Year 1:**
 - State General Fund: \$201,000
 - State Victim's Compensation Fund: \$41,000
 - Counties' General Fund: \$13,000
- **Year 2:**
 - State General Fund: \$242,000
 - State Victim's Compensation Fund: \$50,000
 - Counties' General Fund: \$15,000
- **Year 3:**
 - State General Fund: \$261,000
 - State Victim's Compensation Fund: \$53,000
 - Counties' General Fund: \$17,000

Sources

Department of Transportation
Justice Data Warehouse, Criminal and Juvenile Justice Planning Division,
Department of Human Rights

/s/ Holly M. Lyons

February 23, 2006

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

Zieman co-chair
McCoy co-chair
Potney
Beall

Succeeded By
SF/HF 2254

SSB# 3024
Transportation

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

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3024

MEMORANDUM

Date: January 17, 2006
To: Members of the Iowa General Assembly
From: Iowa Department of Transportation
Subject: Motor Carrier Safety Violations

The department is proposing legislation to increase the fines for violations of motor carrier safety law governing commercial vehicle equipment and commercial drivers.

The department recommends increasing fines for commercial equipment safety violations from \$25 to \$50 and for commercial driver safety violations from \$25 to \$100. The increases would emphasize the importance of commercial vehicle and driver safety and bring Iowa into agreement with the national standard established by the Commercial Vehicle Safety Alliance.

Iowa's current \$25 fine for violations of commercial motor carrier safety rules has not changed for 20 years.