

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6127
BILL NUMBER: SB 281

NOTE PREPARED: Feb 26, 2024
BILL AMENDED: Jan 30, 2024

SUBJECT: Child Safety Requirements for Off-Road Vehicles.

FIRST AUTHOR: Sen. Messmer
FIRST SPONSOR: Rep. Lindauer

BILL STATUS: As Passed House

FUNDS AFFECTED: GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that an individual less than 18 years of age is not required to wear a helmet while operating or riding on an off-road vehicle if certain requirements are met. The bill also provides that a person may not knowingly authorize or permit an individual less than 18 years of age to operate or ride on an off-road vehicle in violation of the statute providing helmet requirements for off-road vehicle operators.

Effective Date: July 1, 2024.

Explanation of State Expenditures:

Explanation of State Revenues: *Summary* - This bill provides an exemption for requirement that minors wear helmets during the operation of off-road vehicles, potentially decreasing the number of Class C infraction judgments in the state. The bill also specifies that an off-road vehicle owner may not knowingly allow a minor to ride in an off-road vehicle without proper safety equipment; by either wearing a helmet or being restrained by a child restraint system.

This bill could reduce the number of Class C infraction violations in the state. Actual decreases are unknown but expected to be small.

Additional Information - The DNR reports that since FY 2017, there have been 326 citations and 595 warnings issued for all off-road vehicle helmet violations (adults and children). Of these citations, approximately 130 were for individuals under the age of 18. This equates to approximately 19 Class C infractions per year, or a maximum of \$9,500 in judgment revenue per year that was deposited in the General

Fund. Information concerning how many citations were issued to individuals under the age of 18 that were riding in a child restraint system but without a helmet was not available.

The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund. The total court fee revenue per case would range between \$85.50 and \$103. The amount of court fees deposited will vary depending on whether the case is filed in a court of record or a municipal court. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

Explanation of Local Expenditures:

Explanation of Local Revenues: *Penalty Provision:* If there is a reduction in court actions filed where a judgment would have been entered, local governments would receive less revenue from court fees. If the case is filed in a court of record, the county will receive \$33.90 and qualifying municipalities will receive a share of \$2.10. If the case is filed in a municipal court, the county receives \$20, and the municipality will receive \$33.50. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#) However, any reduction in revenue is likely to be small.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Supreme Court, Indiana Trial Court Fee Manual; FY 2017 to FY 2022 BMV citation data; Tamytha Cooper, BMV; Chris Smith, DNR; David Bausman, DNR.

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