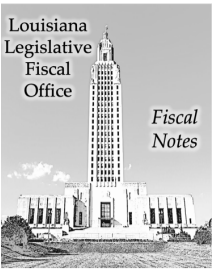


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 98** SLS 24RS 163
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 19, 2024 5:09 PM **Author:** MCMATH
Dept./Agy.: Public Safety, LA Highway Safety Commission
Subject: Prohibit use of Handheld Wireless Devices on Public Roadway **Analyst:** John McKay

MOTOR VEHICLES RE SEE FISC NOTE LF RV See Note Page 1 of 1
 Prohibits use of a handheld wireless telecommunications device by a person when operating a motor vehicle upon any public roadway in this state. (8/1/24)
 Proposed legislation prohibits drivers from calling, text messaging, or using social networking on a handheld telecommunication device while driving on a public road. Proposed legislation provides new and enhanced definitions. This measure provides for exception to the wireless telecommunication device prohibition for a law enforcement officer, firefighter, and operator of emergency vehicle as well as for any person reporting a traffic accident, reporting serious injury or death, using a dispatching system, using hands-free GPS, or while a vehicle is lawfully stationary. Proposed legislation provides for moving violation fines after 1/01/25 as follows: \$50 - \$100 and up to 15 hours of community service for 1st offense; \$100 - \$300 and up to 30 hours of community service for 2nd offense; \$100 - \$300, 30 days license suspension, and up to 60 hours of community service for 3rd offense; double fines if driver involved in traffic accident; and provides for an allocation of a portion of fines to be distributed to the indigent defender fund of the corresponding judicial district as follows: \$25 for 1st offense and \$50 for 2nd offense from each fine collected on subsequent violations.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0
REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	DECREASE	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION
 There is no anticipated direct material effect on governmental expenditures as a result of this measure.

REVENUE EXPLANATION
 Proposed law will decrease Local Funds revenues by an indeterminable amount as a result of fines being reduced and increase revenues into the indigent defender fund of corresponding local judicial districts by an indeterminable amount. Proposed law repeals present law fines of \$500 for the first violation; \$1,000 for 2nd and subsequent violations; and double fines if a driver was involved in a traffic accident. Proposed law provides for lower fines of \$50 - \$100 and up to 15 hours of community service for 1st offense; \$100 - \$300 and up to 30 hours of community service for 2nd offense; \$100 - \$300 and up to 60 hours of community service and 30 days license suspension for 3rd offense; and maintains that fines shall be doubled if the driver involved in a traffic accident is found to violate or the prohibition on using wireless devices.

Under the present law, the indigent defender fund of the judicial district in which the violation is issued receives \$25 from the fines collected. Proposed law retains the \$25 collected on 1st offenses and provides \$50 from fines collected on subsequent violations accrue to the indigent defender fund of the judicial district in which the violation was issued. Because the number of drivers who may be fined under the proposed law is unknown, revenue derived from this source is indeterminable. However, all fines would accrue to local governing entities.

Under the proposed law, fines for violations within school and highway work zones remain the same.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
Deputy Fiscal Officer