



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number: H. 3090 Introduced on January 12, 2021
Author: Rutherford
Subject: Illumination of a Vehicle Registration Plate
Requestor: House Education and Public Works
RFA Analyst(s): Gardner
Impact Date: February 1, 2022

Fiscal Impact Summary

This bill prohibits a law enforcement officer from stopping the driver of a motor vehicle having a broken or inoperable tail lamp or separate lamp if the driver has not violated any other motor vehicle law.

This bill will have no expenditure impact for Judicial, as any additional expenditures can be managed within existing appropriations.

This bill will have no expenditure impact for the Department of Public Safety (DPS) nor the Department of Motor Vehicles (DMV), as the responsibilities within the bill are within the normal scope of business for the agencies.

Charleston County, Chesterfield County, and Spartanburg County report that the bill will have no local expenditure impact.

Also, the Revenue and Fiscal Affairs Office (RFA) anticipates this bill will have no local revenue impact, as current local revenue for traffic fines associated solely with stops for a broken or inoperable tail lamp is likely insignificant.

Explanation of Fiscal Impact

Introduced on January 12, 2021

State Expenditure

This bill prohibits a law enforcement officer from stopping the driver of a motor vehicle with a broken or inoperable tail lamp or separate lamp if the driver has violated no other motor vehicle law.

Judicial. This bill provides that a law enforcement officer may not stop the driver of a vehicle having a broken or inoperable tail lamp or separate lamp unless there is another violation of law. In FY 2020-21, 191 cases involving broken or inoperable tail lamps were disposed in municipal and magistrate courts. As the bill changes the circumstances under which an officer may stop a vehicle having a broken or inoperable tail lamp, there is no data to estimate whether there would be fewer cases heard in municipal or magistrate courts. However, if there are fewer cases, this

will result in a lessening of the backlog in the caseload for the court but will not result in any General Fund savings. Therefore, this bill will have no expenditure impact for Judicial.

As this bill does not require DPS nor DMV to perform activities that fall outside of the scope of normal agency business, it will have no expenditure impact for these agencies.

State Revenue

N/A

Local Expenditure

This bill, which prohibits a law enforcement officer from stopping the driver of a vehicle with an inoperable tail lamp or separate lamp in the absence of another violation, may affect the number of cases that are heard in municipal or magistrate courts. RFA surveyed the local governments as to the impact of the bill and received responses from Charleston County, Chesterfield County, and Spartanburg County. Each county indicated the bill would have no expenditure impact.

Local Revenue

This bill requires there to be at least one additional motor vehicle violation concurrent with a tail lamp violation in order for a law enforcement officer to stop the driver of the vehicle. This may result in a decrease in the number of tickets issued. However, only 191 cases involving broken or inoperable tail lamps were disposed in municipal and magistrate courts in FY 2020-21. Therefore, RFA anticipates that the decrease of local revenue, if any, due to fewer traffic tickets and fines, will be insignificant. Therefore, this bill will have no local revenue impact.



Frank A. Rainwater, Executive Director