



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1312

PRINTERS NO. 2211

PRIME SPONSOR: Vogel

COST / (SAVINGS)

FUND	FY 2013/14	FY 2014/15
General Fund	\$0	\$0
Motor License Fund	\$0	\$0
Judicial Computer Augmentation Account	\$0	See "Fiscal Impact"
Municipal Funds	\$0	\$0
School District Funds	\$0	See "Fiscal Impact"

SUMMARY: Amends the Vehicle Code (Title 75) to provide for the transfer of ownership of vehicles used for human habitation, prohibit texting or cell phone use while driving a commercial vehicle or motor carrier vehicle, extend the permissible length of school buses; address the transportation of manufactured housing; and increase the penalty for fleeing an accident. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends Title 75 to provide for the transfer of ownership of vehicles used for human habitation, to prohibit texting or cell phone use while driving a commercial vehicle or motor carrier vehicle, to extend the permissible length of school buses to 45 feet; to address the transportation of manufactured housing; and to increase the penalty for fleeing an accident that results in death.

Transfer of Vehicles Used for Human Habitation: This legislation amends Section 1111.1 of Title 75 to clarify that if a manufactured or mobile home was previously titled to a person who used it as a residence, that person shall obtain a tax status certification from the tax claim bureau of the count where the residence is situated showing the real estate taxes due on the property as of the date of certification.

Prohibition on Texting or Cell Phone Use by CDL Drivers: The legislation adds Sections 1621 and 1622 to prohibit texting or cell phone use while driving a commercial vehicle or motor carrier vehicle and defines the violations as serious traffic violations. A person who violates these provisions commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

An employer may not permit or require a driver of the employer to engage in texting while driving a commercial motor vehicle or motor carrier vehicle. A person who violates this provision commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$500.

School Bus Length: This legislation amends Title 75 Section 4923(a) (relating to length of vehicles) to change the maximum allowable length on a school bus from 40 to 45 feet.

Oversized Loads/Manufactured Housing: This legislation amends Sections 1944, 4962, and 4973 as they relate to oversized vehicles to:

1. Clarify that a special hauling permit in section 1944 for a manufactured home referenced in section 4973 (relating to permits for movement of a mobile home, a manufactured home or a modular housing unit and modular housing undercarriage), shall be \$76
2. Allow the use of one pilot car for vehicles greater than 13 feet but 14 feet or less in body width (from the current "less than 14 feet"), even if the total length of the vehicle or combination, including the load on the combination, exceeds 90 feet but is not in excess of 120 feet.
3. Prohibit an oversize vehicle from traveling in the same direction within 1,000 feet of another such vehicle, unless it is:
 - a military vehicle;
 - traveling in a construction zone; or
 - traveling within 2,500 feet of a stop sign, traffic light or any other traffic signal or event that would cause either vehicle to come to a stop.
4. Allow multiple sections of manufactured homes and any components used to assemble such homes to be transported on the same carrier, providing the total load does not exceed width, length, or height limitations as well as a combined weight limit of 80,000 pounds as set forth in the vehicle permit.
5. Remove day and time travel restrictions that limit permitted manufactured housing transport.

Fleeing an Accident Scene: This legislation amends Section 3742(b) to establish that a person who causes an accident that results in a death and flees the scene will, upon conviction, be subject to a minimum term of imprisonment of no less than 3 years.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth or municipal funds in FY 2013-14 and FY 2014-15. The legislation would allow school districts to realize some savings by allowing them to choose from a full market selection of longer buses to fit their needs which could allow for the streamlining of bus routes. Those savings are indeterminable and would vary among the Commonwealth's 500 school districts.

The legislation would have a minimal fiscal impact on the General Fund annually starting in FY 2015-16. According to the Commission on Sentencing, there were 6 convictions for violations of Title 75, Section 3742(b) in 2012 who all received a 1 to 2 year sentence. Assuming that 6 convictions occur each and every year, increasing the mandatory minimum of 3 years would create a minimal fiscal impact on the state prison system starting in FY 2015-16.

This legislation would result in some additional, though indeterminable, revenue for the Judicial Computer Augmentation Account due to the new fines provided for in sections 1621 and 1622 of Title 75. Section 3733(a) of Title 42 (Judiciary and Judicial Procedures) provides that beginning July 1, 1987, and thereafter, the total of all fines, fees and costs collected by any division of the unified judicial system which are in excess of the amount collected from such sources in the fiscal year 1986-1987 shall be deposited in the Judicial Computer System Augmentation Account.

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House Appropriations Committee (R)

DATE: June 26, 2014

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.