



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1281

PRINTERS NO. 2103

PRIME SPONSOR: Mastriano

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	See "Fiscal Impact"	See "Fiscal Impact"
Motor License Fund	See "Fiscal Impact"	See "Fiscal Impact"
Judicial Computer System Augmentation Account	See "Fiscal Impact"	See "Fiscal Impact"
Local Funds	See "Fiscal Impact"	See "Fiscal Impact"

SUMMARY: Amends Title 75 to modify the Commonwealth's "Steer Clear Law". This legislation would take effect in 180 days.

ANALYSIS: This legislation modifies the Commonwealth's Steer Clear Law, which is outlined in Section 3327 by increasing the penalties, establishing the minimum speed when passing in a nonadjacent lane, extending the provisions to disabled vehicles and increasing PennDOT's responsibilities for public awareness. The legislation also renames the law as the "Move Over Law".

Penalty: Below is a breakdown of the increased fines a person would be subject to along with a summary offense for a violation of Section 3327(a) or (a.1).

- 1st offense = Increased from \$250 to \$500
- 2nd offense = Increased from \$500 to \$1,000
- 3rd or subsequent offense = Increased from \$1,000 to \$2,000

Enhanced Penalties: This legislation also adds enhanced penalties for bodily injury or death in relation to emergency response areas or disabled vehicles.

Schedule of Convictions and Points: The legislation also amends Section 1535 to establish that a person would be subject to two points for a violation of Section 3327(a) or (a.1).

Minimum Speed: If a person cannot pass an emergency response area or while passing a disabled vehicle in a nonadjacent lane because it is impossible, illegal or unsafe, the person would need to pass those areas at a speed no more than 20 miles per hour less than the posted speed limit.

Markings by Disabled Vehicles: A disabled vehicle shall use at least two of the following markings:

- Vehicular hazard signal lamps as provided in section 4305 (relating to vehicular hazard signal lamps)
- Caution signs or other traffic control device
- Road flares.

Public Awareness Campaign: PennDOT shall educate the public of the Move Over Law periodically throughout the year and maintain information on the department's website and refer to the education effort as the "Move Over" campaign.

FISCAL IMPACT: According to the Administrative Office of Pennsylvania Courts (AOPC) there were 3,723 convictions of §3327 (relating to duty of driver in emergency response areas) in 2019. Assuming the majority of these convictions were first offenses and received a fine of \$250, a similar number of convictions at a \$500 fine would generate \$1.82 million, or an additional \$931,000 annually. This additional revenue would be distributed to the General Fund, Judicial Computer Augmentation System Account as well municipalities depending on the police force enforcing such penalty and the location of such penalty. Adding new penalties for violations for failure to safely pass disabled vehicles would also result in additional revenues for the aforementioned funds and accounts. Any estimate of such revenue is indeterminable at this point.

According to PennDOT, it will incur minimal costs in making computer system changes to add the points violation, which could be accommodated within the agency's existing budget.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: October 20, 2020

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