

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 251

PRINTER NO. 300

AMOUNT

\$580,000 First Year Costs
\$5,096,000 Over a Ten Year Period

FUND

General Fund

DATE INTRODUCED

January 27, 2017

PRIME SPONSOR

Senator Vulakovich

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 251 amends Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for speed timing devices.

§3368 (Speed timing devices) sub-section (c) (Mechanical, electrical and electronic devices authorized) is amended as follows:

- Authorizes the use of Infrared Laser Light Devices (LIDAR) by police officers in the Commonwealth;
- Authorizes any police officer in the Commonwealth to use RADAR and LIDAR, upon completion of a training course approved by the Pennsylvania State Police and the Municipal Police Officers' Education and Training Commission (MPOETC); and
- Requires each local or regional police department that uses RADAR or LIDAR to report annually to the Department of Revenue the municipal revenue generated from speed enforcement citations.

This act shall take effect in 120 days.

FISCAL IMPACT:

Currently, the use of RADAR is restricted to members of the Pennsylvania State Police. This legislation removes that restriction and will authorize properly trained municipal police officers to use the same equipment. In theory, many police departments will simply replace their current "less efficient" and "less accurate" equipment. This would result in essentially the same number of citations being issued, except that most "municipal police" related speeding violations currently require that a motor vehicle be operated at least ten miles per hour in excess of the posted speed limit. The use of RADAR only requires that a motor vehicle be operated six or more miles per hour in excess of the posted speed limit. This may have a slight increase in the number of citations being issued.

In May 2011, the United States Bureau of Labor Statistics reported that the median hourly wage of a police officer in Pennsylvania was \$27.12. In 2010, the Employee Benefit Research Institute estimated that the 34.4% of total compensation paid to state and local government employees was for benefits. Therefore, the median hourly cost of a municipal police officer becomes \$41.34 per hour. Municipal police have estimated that the minimum amount of time for a police officer to setup a speed monitoring device, detect a speeding motorist and issue the citation is 25 minutes.

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Therefore, the cost of issuing one citation would be \$17.22 (25/60 x \$41.34). At times, there are two police officers operating a speed check together, thereby doubling the costs.

Fines and costs collected from citations are deposited into several different state accounts or funds. A portion of those revenues are shared with the counties and municipalities based on the type of violation, the law enforcement agency charging the offense and the location of the offense. On average, local municipalities receive \$17.50 to \$21.50 for every citation issued that results in a disposition of guilty. Based on the similarity between the cost and revenue associated with issuing a citation, it is unlikely municipalities would use LIDAR/RADAR as a revenue-generating opportunity.

Acquisition of RADAR equipment by municipal police departments would be discretionary and it's assumed that they would only acquire RADAR equipment to:

- Replace their current "less efficient" and "less accurate" equipment; and/or
- Transition into a system of speed monitoring within their local municipalities in a more efficient manner by utilizing less man hours for equipment setup and more man hours in actually monitoring speed.

If the provisions of this legislation annually result in the conviction of 10 additional individuals who are sentenced to state confinement, additional costs to the Department of Corrections would be approximately \$60,000 in the first year, increasing to \$935,000 in year 10 when 100 additional individuals would be in state custody. The total cost under this assumed model is estimated at \$4,475,000 over the ten-year period.

Year		1	2	3	4	5	6	7	8	9	10
Per. Diem -- Small Population Increases		\$ 16.52	\$ 17.35	\$ 18.21	\$ 19.12	\$ 20.08	\$ 21.08	\$ 22.14	\$ 23.25	\$ 24.41	\$ 25.63
	1	10	10	10	10	10	10	10	10	10	10
	2		10	10	10	10	10	10	10	10	10
	3			10	10	10	10	10	10	10	10
	4				10	10	10	10	10	10	10
	5					10	10	10	10	10	10
	6						10	10	10	10	10
	7							10	10	10	10
	8								10	10	10
	9									10	10
	10										10
Total Inmates		10	20	30	40	50	60	70	80	90	100
Annual Cost		60,298	126,626	199,436	279,210	366,463	461,743	565,636	678,763	801,788	935,420
Cumulative		60,298	186,924	386,359	665,569	1,032,032	1,493,776	2,059,411	2,738,174	3,539,962	4,475,382

Additionally, the Department of Revenue indicates that an additional five (5) personnel positions would need to be created for the reconciliation of annual reports being submitted to the Department by local and regional police departments. Estimated annual costs for these additional positions are \$520,000 for salaries and benefits. These costs would increase by approximately 2% annually.