

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 435

PRINTER NO. 612

AMOUNT

See Fiscal Impact

FUND

Motor License Fund

DATE INTRODUCED

February 27, 2017

PRIME SPONSOR

Senator Boscola

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 435, Printer's Number 612, amends Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to enact "Christine's Law."

This legislation amends §3720 (relating to snow and ice dislodged or falling from moving vehicle) of Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes in requiring a driver to make a reasonable effort to remove snow or ice from the vehicle within 24 hours of the cessation of the falling snow or ice. The following exceptions are provided for:

1. The driver of the motor carrier vehicle is en route to a facility to remove accumulated ice or snow at the time of the stop by law enforcement; or
2. Compliance would cause the driver of the motor carrier vehicle to violate any other Federal or State law or regulation regarding workplace safety or would be a threat to the health and safety of the driver.

A law enforcement officer may stop a driver of a motor vehicle or motor carrier vehicle who violates this section if the officer believes the accumulated ice or snow may pose a threat to persons or property. A violation of this subsection is subject to a fine of not less than \$25 nor more than \$75 for each offense regardless of whether any snow or ice is dislodged from the vehicle.

For a violation of this offense that results in snow or ice dislodging or falling from a moving vehicle or motor carrier and striking another vehicle or pedestrian causing death or serious bodily injury, the fine is increased from "not less than \$200 nor more than \$1,000" to "not less than \$200 nor more than \$1,500" for each offense.

This act shall take effect in 60 days.

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FISCAL IMPACT:

According to the Administrative Office of Pennsylvania Courts (AOPC), there were eight (8) citation filings in Magisterial District courts in 2017, resulting in five (5) convictions, although, currently a prosecution may only take place when snow or ice is dislodged or falls from a moving vehicle and strikes another vehicle or pedestrian causing death or serious bodily injury. This legislation is much more expansive and allows for prosecution if a law enforcement officer believes that accumulated ice or snow may pose a threat to persons or property, regardless of whether any snow or ice is dislodged from the vehicle.

Assuming there are fifty (50) violations, without death or serious bodily injury, and each conviction results in a fine of \$50, there would be an increase in revenue to the Commonwealth in the amount of \$2,500. Actual fiscal impact with enactment of this legislation is dependent upon the number of violations, convictions and fines imposed by the Magisterial District Judge.