

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 607

PRINTER NO. 675

AMOUNT

\$65,043 First Year Costs
\$1,113,245 Over a Five-Year Period
See Fiscal Impact

FUND

General Fund
Motor License Fund (Restricted)

DATE INTRODUCED

April 30, 2019

PRIME SPONSOR

Senator Scavello

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 607 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 any police officer in the Commonwealth to use electronic speed meters, Radio Detection and Ranging devices (RADAR) and Light Detection and Ranging devices (LIDAR), upon completion of a training course approved by the Pennsylvania State Police and the Municipal Police Officers' Education and Training Commission (MPOETC);
- Provides that a person may not be convicted upon evidence obtained through the above mentioned devices unless the speed recorded is more than ten miles per hour in excess of the legal speed limit on a highway or six or more miles per hour in excess of the legal speed limit on an interstate highway with a posted speed limit of 70 miles per hour, except within a school zone or an active work zone;
- Requires a political subdivision to adopt a local ordinance authorizing the local or regional police department to employ the above mentioned devices prior to the use of such devices;
- Clarifies that the primary use of the above mentioned devices shall be for traffic safety purposes; and
- Requires excess revenue generated from speed enforcement citations be submitted to the Pennsylvania Department of Revenue for deposit into a restricted receipts account in the Motor License Fund. Excess revenues are any revenues that exceed 20% of the total political subdivision's budget.

This act shall take effect in 120 days.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

FISCAL IMPACT:

Currently, the use of RADAR and LIDAR 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. With the use of more efficient equipment, such as RADAR and LIDAR, this may result in 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. Therefore, the cost of issuing one citation would be \$17.22 ($25/60 \times \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

Acquisition of RADAR equipment by municipal police departments would be discretionary and it is 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 \$65,043 in the first year, increasing to \$395,301 in year 5 when 50 additional individuals would be in state custody. The total cost under this assumed model is estimated at \$1,113,245 over the five-year period, as illustrated on the table below.

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		Annual Costs to Pennsylvania Department of Corrections				
Year		1	2	3	4	5
Per. Diem - Small Population Increases		\$17.82	\$18.71	\$19.65	\$20.63	\$21.66
	1	10	10	10	10	10
	2		10	10	10	10
	3			10	10	10
	4				10	10
	5					10
Total Inmates		10	20	30	40	50
Annual Cost		\$65,043	\$136,590	\$215,130	\$301,182	\$395,301
Cumulative		\$65,043	\$201,633	\$416,763	\$717,945	\$1,113,245