

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 114

PRINTER NO. 114

AMOUNT

See Fiscal Impact

FUND

Motor License Fund

DATE INTRODUCED

January 28, 2021

PRIME SPONSOR

Senator Boscola

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 114 amends Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to enact "Christine's Law" which establishes new requirements for the removal of accumulated ice or snow from motor vehicles or motor carrier vehicles.

This legislation repeals section 3720 (relating to snow and ice dislodged or falling from moving vehicle).

Additionally, the legislation adds a new section 3721 (relating to snow and ice) requiring a driver of a motor vehicle or motor carrier vehicle being operated on a highway of this Commonwealth to make a reasonable effort to remove accumulated ice or snow from the motor vehicle or motor carrier vehicle, including the hood, trunk and roof within 24 hours after 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 \$50 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.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

FISCAL IMPACT:

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. According to the Administrative Office of Pennsylvania Courts (AOPC), there were eight (8) citation filings in Magisterial District courts in 2019, resulting in six (6) convictions. The six convictions in 2019 resulted in an average fine of \$220, below the current maximum fine of \$1,000. Assuming the same number of convictions, there would be no fiscal impact on Commonwealth funds from increasing the maximum fine to \$1,500. The actual fiscal impact will be dependent upon the number of violations, convictions and fines imposed by the Magisterial District Judge.

This legislation is also 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.