

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 419

PRINTER NO. 418

AMOUNT

See Fiscal Impact

FUND

General Fund
Highway Safety Cadet Training
(Restricted Receipts Fund established
within the General Fund)

DATE INTRODUCED

March 12, 2021

PRIME SPONSOR

Senator Scavello

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 419 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 the above-mentioned devices must be calibrated and tested every 365 days at a minimum before being used;
- 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;
- Provides that RADAR and LIDAR may not be used to time the rate of speed of vehicles within 500 feet after a speed limit sign indicating a decrease of speed. This limitation shall not apply to a speed limit sign indicating a school zone, bridge and elevated structure speed limit, hazardous grade speed limit and work zone speed limit;
- Clarifies that the primary use of the above-mentioned devices shall be for traffic safety purposes; and

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- Requires excess revenue generated from speed enforcement citations be submitted to the Pennsylvania Department of Revenue for deposit into the Highway Safety Cadet Training Restricted Receipts Fund, which is established in the General Fund for the purpose of recruiting, training or equipping Pennsylvania State Police Cadets. Excess revenues are any revenues that exceed ten percent of the total political subdivision's budget.

This act shall take effect in 180 days.

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. Many police departments will simply replace their current "less efficient" and "less accurate" equipment. 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 2021, the United States Bureau of Labor Statistics reported that the median hourly wage of a police officer was \$31.54. 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 \$48.08 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 \$20.03 ($25/60 \times \48.08). 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.

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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 \$107,456 in the first year, increasing to \$652,985 in year 5 when 50 additional individuals would be in state custody. The total cost under this assumed model is estimated at \$1,839,089 over the five-year period, as illustrated on the table below.

| | | Annual Costs to Pennsylvania Department of Corrections | | | | |
|---|---|---|-----------|-----------|-------------|-------------|
| Year | | 1 | 2 | 3 | 4 | 5 |
| Per. Diem - Small Population Increases | | \$29.44 | \$30.91 | \$32.46 | \$34.08 | \$35.78 |
| | 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 | | \$107,456 | \$225,643 | \$355,437 | \$497,568 | \$652,985 |
| Cumulative | | \$107,456 | \$333,099 | \$688,536 | \$1,186,104 | \$1,839,089 |