



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [Sub. S.B. 97 of the 130th G.A.](#) **Date:** December 4, 2013
Status: As Reported by Senate Public Safety, Local Government & Veterans Affairs **Sponsor:** Sen. Hughes

Local Impact Statement Procedure Required: No

Contents: Permits emergency personnel in public safety vehicles to report traffic law violations under certain circumstances

State Fiscal Highlights

- As a result of the bill, additional persons may be cited and convicted of certain traffic violations statewide. The state may collect negligible additional revenues annually in the form of locally collected state court costs that would be deposited to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).

Local Fiscal Highlights

- As a result of the bill, a few additional persons may be cited and convicted of certain traffic violations in any given local jurisdiction, which means counties and municipalities may gain minimal additional annual revenues in the form of court costs and fines imposed on the offender. Counties and municipalities may also incur additional minimal costs as reported traffic law violations might be investigated by law enforcement and the alleged violators may subsequently be prosecuted and sanctioned.

Detailed Fiscal Analysis

The bill (1) allows emergency personnel in certain public safety vehicles to report traffic law violations when a vehicle fails to yield the right-of-way and (2) permits a law enforcement agency, when it receives a report from emergency personnel operating a public safety vehicle, to conduct an investigation of the alleged violation, including determining the identity of the operator of the vehicle at the time of the violation. If the identity of the operator of the vehicle at the time of the alleged violation is established, the law enforcement agency is permitted to issue a citation unless it has been determined that the operator has not been previously issued a written warning. In that case, the law enforcement agency is required to issue a written warning. Any subsequent offense, however, would result in a citation for a minor misdemeanor and a fine of \$150.

LSC fiscal staff has learned that it is fairly commonplace for motor vehicles to fail to yield the right-of-way to public safety vehicles. That said, it is difficult to predict the frequency with which emergency personnel may report a violation; however, it is plausible that at least some emergency personnel would exercise the new authority granted under the bill and report violations.

State and local revenues

As a result of emergency personnel reporting traffic violations, additional persons may be investigated, cited, and convicted of certain traffic violations. The likely number of additional traffic violation convictions per year in any given local jurisdiction is likely to be relatively small. In these cases, the court generally imposes court costs and fines upon that person that are then paid to the state and appropriate local jurisdictions. This bill may generate a negligible annual gain in locally collected state court costs deposited to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020) and counties and municipalities may gain a minimal amount annually in the form of court costs and fines.

Local law enforcement, prosecutors, and courts

As noted, the bill permits law enforcement agencies to investigate any report received from emergency personnel operating certain public safety vehicles. This provision, at a minimum, could create additional investigatory expenditures for law enforcement agencies that choose to investigate any reports they receive, the annual cost of which is likely to be no more than minimal. If the investigation results in a citation being issued and some of those cases proceed to a hearing, it may minimally increase the annual costs that counties and municipalities incur in prosecuting and adjudicating the matter, to be offset by the revenue collected.