

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1500 – SB 1684

May 20, 2011

SUMMARY OF AMENDMENTS (00527634, 00555361, 00843261): Requires the video evidence from a traffic camera to be reviewed by a Post-certified officer and a notice of violation to be mailed within 20 business days absent exigent circumstances arising from registration irregularities. Prohibits the issuance of a citation for failure to make a complete stop at a red signal before making an authorized right turn. Prohibits placement of enforcement cameras on public roads or highways within one mile of a reduction of speed 10 miles per hour or greater. Authorizes citations to be issued based solely upon evidence obtained from enforcement cameras within a designated school zone when warning flashers are activated.

FISCAL IMPACT OF ORIGINAL BILL:

Decrease State Revenue – \$8,000

Decrease Local Revenue – \$448,500

Increase Local Expenditures – Exceeds \$50,000/One-Time*
\$400,000/One-Time/Permissive

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Decrease State Revenue – \$8,000

Decrease Local Revenue – \$205,700

**Increase Local Expenditures – Exceeds \$58,800/One-Time*
\$400,000/One-Time/Permissive**

Assumptions applied to amendments:

- Evidence from enforcement cameras is currently reviewed by POST-certified officers.
- According to the Tennessee Association of Chiefs of Police (TACP), it is current practice to reject citations for right turn violations when there is no evidence indicating a vehicle has crossed a stop line after a traffic light has signaled red. Multiple citations are not issued for each distinct and separate offense. Citations are currently rejected when registration information captured by surveillance cameras does not match that of the cited vehicle.

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- According to a 2011 Fiscal Review Committee Survey, four local governments currently assess additional fees for citations issued by traffic surveillance cameras, including the \$13.75 litigation tax to the state and approximately \$75 in other fees to local governments. Additional fees are assessed on approximately 585 citations each month. State revenue is estimated to decrease by \$8,044 ($\13.75×585) and local revenue is estimated to decrease by \$43,875 ($585 \times \75).
- Local governments will experience an increase in expenditures estimated to exceed \$50,000 for installation of required signals, signs, and pavement markings.
- According to the Tennessee Association of Chiefs of Police, approximately 4 cameras statewide are placed on roads within one mile of a reduction of speed limit 10 miles per hour or greater.
- According to a 2011 Fiscal Review Committee Survey, the average monthly revenue generated per camera is \$3,371.54, resulting in a decrease to local government revenue of \$161,834 ($\$3,371.54 \times 4 \text{ cameras} \times 12 \text{ months}$).
- Requiring local governments to mail citations issued as a result of traffic enforcement cameras will not change current procedures and will not result in a significant impact to local government expenditures.
- The cost to conduct a traffic engineering study is unknown due to a number of variables but is estimated to be approximately \$100,000. Based on a 2011 Fiscal Review Committee Survey, eight municipal governments are considering the use of traffic enforcement cameras. Fifty percent of local governments considering the use of traffic surveillance cameras will conduct a traffic safety study resulting in a permissive one-time increase to local government expenditures of approximately \$400,000 ($\$100,000 \times 4 \text{ cities}$).
- Pursuant to Tenn. Code Ann. § 55-8-110, local governments are authorized to post “No Turn on Red” signs at intersections where a right turn on red is not authorized.
- The number of local governments that display “No Turn on Red” signs at intersections where a right turn on red is not authorized is unknown. Estimate assumes approximately 10 percent of cameras are placed at intersections where right turns are prohibited. Approximately 50 percent (or 158 cameras) of those intersections display “No Turn on Red” signage.
- According to TDOT, the cost to post “No Turn on Red” signs is \$56 per sign resulting in a one-time increase to local expenditures of \$8,848 ($158 \text{ cameras} \times \56).
- Currently, there are no provisions in law prohibiting the issuance of citations based solely on evidence obtained from enforcement cameras within an activated school zone. Exempting such action will not affect the current practices of local governments and therefore have no significant impact.

**Article II, Section 24 of the Tennessee Constitution provides that: No law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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