

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1416 – SB 1608

February 9, 2016

SUMMARY OF ORIGINAL BILL: Enacts the “Slow Poke Law” prohibiting a person from operating a vehicle in the far left lane of an interstate or multilane divided highway that has three or more lanes in each direction, except when overtaking or passing a vehicle that is in a non-passing lane. Authorizes the Department of Transportation (TDOT) to erect signs or official traffic control devices to restrict usage of a lane designated for passing. Creates a Class C misdemeanor punishable by a fine only of \$50.00 for any violation.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – Exceeds \$1,100/Recurring

Increase State Expenditures – \$444,500/Highway Fund/One-Time

Increase Local Revenue – Exceeds \$100/Recurring

SUMMARY OF AMENDMENT (012179): Deletes and rewrites subsection (c) of Section 2 of the original bill such that the only substantive changes are (1) the deleting of language that authorized TDOT to erect signs or official traffic control devices to restrict usage of a lane designated for passing, and (2) the addition of language authorizing TDOT to use the existing permanent electronic overhead display on the interstate system to display messages to the public regarding the Slow Poke Law. Allows TDOT to develop guidelines for the messages to be placed on the displays.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Revenue – Exceeds \$1,100

Increase Local Revenue – Exceeds \$100

Assumptions for the bill as amended:

- Based on information provided by TDOT, there are a total of 393 miles of three lane or more divided roadways in Tennessee applicable to the bill as amended.

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- The Tennessee Association of Chiefs of Police reports local agencies currently do not maintain data sufficient to project a number of citations issued relative to the provisions of this bill as amended.
- Given the small amount of applicable roadway relative to overall roadway, the number of citations issued is reasonably estimated to exceed 30 per year.
- An average Class C misdemeanor fine of \$50.
- Twenty percent of fines are assumed to go unpaid due to indigence.
- Pursuant to Tenn. Code Ann. §§ 55-10-303 and 40-24-101, 95 percent of collected citation revenue shall be remitted to the state, and the remaining 5 percent shall be retained by the applicable local government entity.
- Annual revenue from citations is estimated to exceed \$1,200 (minimum 30 citations x \$50 fine x 80.0% paid).
- A recurring increase in state revenue estimated to exceed \$1,140 ($\$1,200 \times 95.0\%$).
- A recurring increase in local revenue is estimated to exceed \$60 ($\$1,200 \times 5.0\%$).
- Any expenditure for TDOT to change existing electronic overhead display messages or develop guidelines for messages will be not significant.

CERTIFICATION:

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



Krista M. Lee, Executive Director

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