

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2300 – SB 2425

March 8, 2016

**SUMMARY OF ORIGINAL BILL:** Increases, from 300 to 350 feet, the distance required for a truck, of more than one and one-half ton rated capacity, in approaching any other truck of like or greater capacity proceeding in the same direction on any highway outside municipal limits, except in overtaking and passing and unless one or both trucks are stopped or disabled.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (013275):** Deletes all language of the original bill. Removes the \$250 fine specification from the Class B misdemeanor, and the \$500 fine specification from the Class A misdemeanor, relative to failure to yield right of way offenses when such offenses result in serious bodily injury, or death to another person, respectively.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

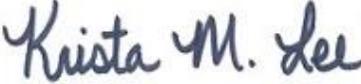
Assumptions for the bill as amended:

- The offenses for which the fine specifications are removed will remain punishable as Class B and Class A misdemeanors offenses.
- There will not be a significant decrease in fine revenue as a result of deleting the enhanced fine provision in Tenn. Code Ann. § 39-13-102(e)(1)(B) because the courts could still levy a fine under the provisions of the amended bill. Given the nature of the offenses, where either bodily injury or death of another would occur, it is assumed the courts would levy a fine representative of amounts removed by this legislation. Therefore, it is assumed that any fine amounts collected under current law would be collected under the provisions of this legislation.
- Based on the Fiscal Review Committee's 2008 study of incarceration costs and fines, and the Administrative Office of the Courts's 2012 study on collection of court costs, fees, and fines, the collection of fines for offenses is negligible.

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**CERTIFICATION:**

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



Krista M. Lee, Executive Director

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