

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

SB 301 – HB 1456

February 12, 2019

SUMMARY OF BILL: Prohibits the operator or a passenger from smoking any tobacco product or using any vaping product in an enclosed motor vehicle when a child, who is secured by a child safety seat or is required to be secured in a child safety seat, is present in the vehicle, regardless of whether the windows of the motor vehicle are down.

Establishes that: (1) a violation cannot be a primary offense and the sole reason a motor vehicle is stopped by law enforcement; (2) a first violation of this section is punishable only by the issuance of a warning citation; (3) a second violation is a Class C misdemeanor, punishable only by a fine of \$20 and court costs not to exceed \$10.00, including, but not limited to, any statutory fees of officers; and (4) a third or subsequent offense is a Class C misdemeanor punishable only by a fine of \$50 and court costs not to exceed \$10.00, including, but not limited to, any statutory fees of officers.

Requires the Department of Transportation (TDOT) to utilize the permanent electronic overhead informational displays located throughout the state to provide periodic messages to the motoring public as to the provisions of this section.

ESTIMATED FISCAL IMPACT:

On February 5, 2019, a fiscal note was issued for this bill. The fiscal note is being corrected because a commerce impact statement was erroneously omitted. The estimated fiscal impact for the legislation remains unchanged.

NOT SIGNIFICANT

Assumptions:

- No significant fiscal impact on TDOT resulting from utilization of electronic overhead signs.
- Any increase in the caseloads of the court system can be absorbed within the existing judicial resources.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

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IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- Prohibiting the operator or a passenger from smoking any tobacco product or using any vaping product in an enclosed motor vehicle when a child, who is secured by a child safety seat or is required to be secured in a child safety seat, is present in the vehicle will not have any significant impact on commerce or jobs in Tennessee.

CERTIFICATION:

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

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jmg