2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 3314 **STATUS:** A Engrossed
SUBJECT: Creates a class A traffic infraction of infliction of serious physical injury or death to a vulnerable user of a public way.
GOVERNMENT UNIT AFFECTED: Oregon Department of Transportation, Oregon Judicial Department
PREPARED BY: Tim Walker
REVIEWED BY: Susan Jordan, Robin LaMonte
DATE: May 4, 2007

	2007-2009	2009-2011
EXPENDITURES:		
See Comments		

EFFECTIVE DATE: January 1, 2008

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: This bill creates the class A traffic infraction of infliction of serious injury or death to a vulnerable user of a public way. This infraction is punishable with a fine up to $125,000. The bill also requires the Oregon Judicial Department (OJD) to approve a driver improvement program.

The fiscal impact of this bill is indeterminate. OJD can not reliably predict the number of citations that may be issued. Using data from the National Highway Traffic Safety Administration, in Oregon on average there were 49 pedestrian and 10 bicyclist fatalities each year from 2001 – 2005. OJD estimates increased costs of $13,000 - $26,000 per biennium due to the requirements of this bill and an increase in revenues of $12,000 – $24,000.

It is not possible to estimate with a high level of confidence the number of citations that may be written for this infraction. Oregon Department of Transportation (ODOT), Transportation Safety Division statistics from 2004 indicate 1230 crashes with motor vehicles that resulted in injuries to cyclists and pedestrians and 54 crashes that involved vehicles and pedestrian or cyclist fatalities. The number of these instances in which the operator of the motor vehicle was operating in a careless or reckless manner is believed to be small. ODOT estimates the cost of implementing the requirements of this bill to be $52,000.

It is important to note that ODOT analyzes all legislation that passes and develops a work plan to complete all the changes together in order to efficiently complete the necessary work. Therefore, while each bill is analyzed for changes as if it were the only change necessary, actual programming time could be reduced due to efficiencies. The Department will develop a work plan to address all computer changes required to conform Driver and Motor Vehicle systems to enacted legislation. The Department will then appear before the Emergency Board, if necessary, during the interim to request an expenditure limitation increase needed to address the required work.