

2009 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 2553

STATUS: B Engrossed

SUBJECT: Requires the Department of Transportation to remove, or to pay the reasonable cost for removal, of debris from a state highway in accidents involving the death of a person 18 years or younger if the surviving family members would otherwise be responsible for the cost of the cleanup.

GOVERNMENT UNIT AFFECTED: Department of Transportation

PREPARED BY: Robin LaMonte

REVIEWED BY: Susie Jordan

DATE: May 29, 2009

	<u>2009-2011</u>	<u>2011-2013</u>
EXPENDITURES: See Analysis		

REVENUES:
See Analysis

EFFECTIVE DATE: January 1, 2010

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.

ANALYSIS: HB 2553 requires the Department of Transportation (ODOT) to remove, or to pay the reasonable cost for removal, of debris from a state highway in accidents involving the death of a person 18 years or younger if the surviving family members would otherwise be responsible for the cost of the cleanup. The provisions do not apply if the deceased was engaged in criminal conduct or if the deceased was not insured under a motor vehicle liability insurance policy.

HB 2553 has a minimal fiscal impact on ODOT.

ODOT estimates that the average cost of cleanup on any fatality is approximately \$1,850. Approximately 11 percent (26 per year) of all fatalities involve persons 18 years of age or younger. ODOT currently establishes a Claim Against Others account for all expenditures related to the cleanup of all accidents on state highways. ODOT seeks reimbursement from the responsible party's insurance company, but does not seek reimbursement from surviving family members. ODOT absorbs the cost if the responsible party does not have insurance. ODOT is unable to estimate if there would be any additional cleanups that could become the sole responsibility of ODOT under this bill.