

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3036

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

Prepared by: Emily Coates

Reviewed by: Amanda Beitel, John Borden, Julie Neburka, John Terpening, Kim To, Doug Wilson

Date: 3/23/2023

Measure Description:

Permits education provider to operate video recording device for purpose of recording persons who fail to stop for bus safety lights.

Government Unit(s) Affected:

Cities, Counties, Department of Early Learning and Care, Department of Education, Department of Revenue, Higher Education Coordinating Commission, Judicial Department, Oregon Youth Authority, School Districts, Department of State Police, Department of Justice

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

The measure establishes the School Bus Stop Arm Camera Fund, separate and distinct from the General Fund, and requires monies in the Fund to be continuously appropriated to the Oregon Department of Education (ODE) to assist education providers in acquiring stop arm cameras. The measure also amends the Oregon Vehicle Code to allow education providers to install and operate stop arm cameras on school buses. Education providers that choose to install cameras are required to implement a camera maintenance plan.

The measure authorizes education providers to report violations for failing to stop for bus safety lights to local law enforcement, who may issue citations. The measure requires the courts, who enter a judgment of conviction for violations, to split amounts collected between ODE for deposit into the School Bus Stop Arm Camera Fund and to the jurisdiction in which judgment of conviction was entered. The measure is effective January 1, 2024.

The fiscal impact for ODE, school districts, and counties is indeterminate. The measure states that education providers may install and operate stop arm cameras on school buses, however, there is no data that shows how many school districts or providers would choose to invest in cameras. Therefore, the overall impact is indeterminate at this time.

The measure may result in an increase in the number of violation cases charging the offense of Failure to Stop for Bus Safety Lights that could be filed in circuit, justice, and municipal courts, The Oregon Judicial Department classifies this impact as minimal, as does the Department of Justice.

There is no fiscal impact for Oregon State Police, Oregon Youth Authority, Department of Revenue, Department of Early Learning and Care, or Higher Education Coordinating Commission.

The Legislative Fiscal Office requested, but has not received, fiscal impact information from cities. In absence of this information, the fiscal impact to cities is indeterminate. If fiscal impact information is provided by cities, LFO will issue a revised fiscal impact statement.

In addition, LFO notes under current law the revenue generated from traffic violations is split between the state (i.e., Criminal Fines Account or CFA) and the citing local government. Each session, the legislature allocates

available moneys in the CFA based on a list of statutory priorities with the unallocated balance deposited into the General Fund. This measure introduces a different revenue distribution model for traffic violations under ORS 811.155 that would reduce the amount of circuit court revenue deposited into the CFA and available for allocation and distribution. The impact to CFA and the state's General Fund will be estimated by a Legislative Revenue Office revenue impact statement.

This measure has a subsequent referral to the Joint Committee on Ways and Means.