

February 12, 2015

The Honorable Richard Proehl, Chairperson
House Committee on Transportation
Statehouse, Room 581-W
Topeka, Kansas 66612

Dear Representative Proehl:

SUBJECT: Fiscal Note for HB 2194 by House Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2194 is respectfully submitted to your committee.

HB 2194 would enact the Safety Corridor Act. The Act would authorize the Secretary of Transportation to establish and administer a Safety Corridor Program. The Secretary could designate highway safety corridors on highways that are designated as interstate, United States, or state highways. When within the corporate limits of any city, a safety corridor could not be authorized without a resolution passed by the city governing body. If the city governing body were to remove support for the safety corridor, the Secretary of Transportation would be required to remove the signage dedicating the highway in the city as a safety corridor.

The bill would also create an Executive Safety Council with members appointed by the Secretary of Transportation who would be charged with developing and maintaining the Strategic Highway Safety Plan. Members may be appointed from the Department of Revenue, the Kansas Department of Transportation, the Kansas Department of Health and Environment, the Kansas Legislature, transportation safety academia, transportation safety businesses, law enforcement, or local governments. The Secretary would establish criteria and designate safety corridors at the recommendation of the Executive Safety Council. Criteria could include accident fatality rates, number of collisions resulting in serious injury or death; and traffic volumes.

The Secretary of Transportation would establish guidelines to evaluate whether a highway segment designated as a safety corridor continues to meet established criteria. If the Secretary determines a highway segment no longer meets the criteria, the highway's designation as a safety corridor would be revoked. HB 2194 would require the Secretary to report annually to the House Committee on Transportation and the Senate Committee on Transportation concerning the implementation and operation of the Safety Corridor Act. The report would need to be completed prior to the tenth day of each regular session of the Kansas Legislature.

The bill would also create the Safety Corridor Fund to be administered by the Secretary of Transportation. Expenditures from this fund would be used solely for programs within designated safety corridors, including appropriate signage, education, and other purposes deemed

appropriate by the Secretary. HB 2194 would designate 0.9 percent of fines collected by district courts to the Safety Corridor Fund until the time the Secretary of Transportation has recovered all of the costs associated with the creation or acquisition of signage identifying safety corridors. The Secretary could accept grants and other assistance from the federal government and other public or private sources to offset costs associated with safety corridors.

Fines would double if a person is convicted of a traffic infraction, which is defined as a moving violation in the bill, in a designated safety corridor. The bill would add that a conviction of exceeding the speed limit by more than five miles per hour within a safety corridor would be considered a moving violation for determining whether a person's driving privileges should be restricted, suspended, or revoked. A conviction of speeding in a safety corridor by not more than five miles per hour would not be reported to or considered by an insurance company in determining an automobile insurance rate. HB 2194 would also prohibit a diversion agreement in lieu of further criminal proceedings that would prevent the conviction of exceeding the maximum speed limit in a safety corridor from appearing on a person's record.

The Kanas Department of Transportation (KDOT) states it anticipates establishing safety corridors on a portion of K-10 Highway in Douglas County. In addition, the KDOT would work with the Executive Safety Council to establish criteria and select any additional safety corridors. Additional expenditures would \$5,000 in signage, \$60,000 in additional patrol costs, and \$100,000 in media costs for a total of \$165,000 in FY 2016. The \$160,000 in patrol and media costs would be ongoing expenditures. These expenditures would be paid for from the Safety Corridor Fund established in the bill. The KDOT states each safety corridor would require approximately \$5,000 in signage. KDOT is unable to estimate the additional revenues that would be collected from municipal court collections.

The Office of Judicial Administration estimates \$156,849 would be credited to the Safety Corridor Fund in FY 2016, which would be a loss of the same amount to the State General Fund if HB 2194 were passed. Until the courts have been able to operate under the provisions of the bill, an accurate fiscal effect upon the Judicial Branch cannot be given. Any fiscal effect associated with HB 2194 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ben Cleaves, KDOT
Mary Rinehart, Judiciary
Jack Smith, KDOR
Larry Baer, LKM