

February 5, 2015

The Honorable Mike Petersen, Chairperson
Senate Committee on Transportation
Statehouse, Room 345-S
Topeka, Kansas 66612

Dear Senator Petersen:

SUBJECT: Fiscal Note for SB 94 by Senate Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning SB 94 is respectfully submitted to your committee.

SB 94 would make it unlawful for a driver of a vehicle to overtake and pass another vehicle that is stopped and engaged in the collection of solid waste, recyclables, or yard waste on any street or highway except for the following circumstances:

1. On any street or highway with a posted speed limit of less than 40 miles per hour, the driver would be required to decrease speed to 15 miles per hour before approaching within 100 feet and overtaking the vehicle; and
2. On any street or highway with a posted speed limit of 40 miles per hour or greater, the driver would be required to decrease speed by 10 miles per hour under the posted speed limit before approaching within 100 feet and overtaking the vehicle.

The bill would require the driver who is passing a vehicle engaged in waste collection, when possible, to change into the lane that is not adjacent to the waste collection vehicle when traveling on a street or highway that contains at least two lanes that carry vehicles in the same direction. The bill would establish a \$105 fine for the unlawful passing of waste collection vehicles. The fine would double if a person is convicted of causing serious injury or death to a person engaged in the collection of solid waste, recyclables, or yard waste.

The Office of Judicial Administration indicates passage of SB 94 could result in the issuance of additional fines for the new traffic infraction established by the bill. This would increase the time spent by district court staff processing these cases, including collecting the fine imposed and the docket fee. However, until the courts have had an opportunity to operate under the provisions of SB 94 an accurate estimate of the fiscal effect upon the Judicial Branch cannot

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be given. Any fiscal effect associated with SB 94 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", followed by a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Ben Cleeves, KDOT
Mary Rinehart, Judiciary