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158

FISCAL NOTE

REQUEST _____

Revision Date: _____
Title: "An Act relating to the penalty imposed for certain traffic offenses."
Sponsor: Rep. Davis
Requestor: House State Affairs

Agency Affected: Public Safety
BRU: Alaska State Troopers
Components: Detachments and C.I.B.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY88	FY89	FY90	FY91	FY92	FY93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL _____

REVENUE _____

FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

JMC
2/11/88

Prepared by: Francis C. Allan *F.C.A.*
Division: Alaska State Troopers

Phone: 269-5691
Date: 2/5/88

Approved by Commissioner: Arthur English *A.A.H.*
Agency: Public Safety

Date: 2/5/88

Distribution: (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: HB 158
Publish Date: 3/2/87

Revision Date: _____
Title: An act relating to the penalty
imposed for certain traffic offenses
Sponsor: Davis, Pearce, Strutz, & Donley
Requestor: _____

Agency Affected: Health
State Health Services
BRU: _____
Components: Public Health Administration
services - EMS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS : (Attach a separate page if necessary)

Enactment of HB 158 would have no direct fiscal impact on the Department of Health and Social Services.

Prepared by: Elizabeth Ward, MN, Director
Division: Public Health

Phone: 465-3090
Date: March 18, 1987

Approved by Commissioner: *Maria M. Merson*
Agency: Dept. of Health & Social Services

Date: 3/23/87

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

P.O. Box Y, State Capitol
Juneau, Alaska 99811-3100
Mail Stop 3100
(907) 465-3991

February 20, 1987

MEMORANDUM

TO: Representative Mike Davis

ATTN: Catherine Reardon

FROM: Karla Hart *KH*
Legislative Analyst

RE: Alternatives to Mandatory Seat Belt Laws
Research Request 87.138

You requested information on alternatives to mandatory seat belt laws that have been proposed or implemented to encourage the use of seat belts. This is a topic which appears to have received little, if any, attention by any of the states or seat belt advocates. The National Conference of State Legislatures (NCSL) was aware of just one state (South Carolina) which was considering alternatives.

South Carolina has two bills (Attachment A) in the current legislature which would reduce penalties for moving violations, if the driver was wearing a seat belt at the time of the violation. One bill would provide for a 25 percent reduction in both the fine and points assessed against the driver. The second would reduce only the points assessed by 25 percent. Arguments the bills have encountered so far are: the reduction of the fine would have severe economic implications for local and county governments and the alteration of the point system would impact insurance rates since they are assessed on a point system also. The concern regarding insurance rates is not relevant since the industry has its own separate point system; however, this was the reason for tabling one of the two bills according to a South Carolina legislative staff member. As far as he has been able to tell, no other state has tried any incentive approach to increase seat belt usage.

At a national highway safety meeting last year, the Alternative Occupant Protection Association (New Jersey) suggested a reduction of points or fine if the driver is wearing a seat belt when stopped for a moving violation. They see it as an added incentive for usage, not in lieu of mandatory seat belt laws. Vincent A. Van Der Hyde offered some rather drastic alternatives in a strongly worded July 8, 1986 letter to the Juneau Empire (Attachment B).

Representative Davis
February 18, 1987
Page 2

Private industry incentives for wearing a seat belt exist. Nationwide Insurance Company pays double the insured amount for settlements in the case of a death of an insured person who was wearing a seat belt at the time of the fatal accident. The company has not conducted any research on how that policy affects seat belt usage among their insured. General Motors advertises they will pay \$10,000 to the estate of anyone killed in a GM light truck or car while wearing a seat belt.

The Insurance Institute for Highway Safety advised that a study of promotional campaigns to encourage people to wear their seat belts found that the incentive programs included in the campaigns were not effective. The Insurance Institute stressed that a strong seat belt law which is actively enforced and publicized is the best way to encourage use.

If you have any questions, please call.

Attachments

BJLL NO: HB 158

DATE: 3/9/87

TITLE: "An Act relating to the penalty imposed for certain traffic offenses."

CONTACT: Major Walter J. Gilmour
Acting Director
Alaska State Troopers

DEPARTMENT OF
PUBLIC SAFETY

Provides an incentive for seatbelt use by motorists.

This bill may be an incentive for persons to wear seatbelts. Violators are given reduced fines provided they and their passengers are wearing seat belts when contacted by the citing officer.

The citing officer would have to be very alert to know if the occupants were actually utilizing seat belts or simply put them on when they realized they were being stopped for the violation.

This may confuse some people who mail in bail. They may not discount the 10% when deserved while others may discount the 10% when they in fact were not wearing belts. (The issue may be in dispute).

The bill may encourage more people to wear belts.

The bill will reduce the amount of funds generated by fines.

The bill may put additional burden on the court and the Troopers. The Court may have to issue a warrant for an individual if there is a dispute as a result of the 10% discount. The Alaska State Troopers would be required to serve these warrants.

The Department of Public Safety is neutral on this legislation.



William R. Nix
Acting Commissioner



Position Paper

House Bill No. 158

For an Act entitled: "An Act relating to the penalty imposed for certain traffic offenses."

This Act would amend AS 28.05.151(b) to allow a ten percent (10%) reduction in the fine or bail that would otherwise be applicable for a moving traffic violation if the driver and passengers are wearing their seatbelts at the time of the offense.

Motor vehicle crashes are a leading cause of death, injury and long-term disability. They are the leading cause of death to persons between 1 and 35 years of age. For teenagers, car crash fatalities outnumber the next five causes of death combined. Numerous studies have shown that seat belts and other vehicle safety restraints substantially reduce the likelihood of death or injury to motor vehicle occupants involved in crashes. Efforts to educate the public about the benefits of seatbelts have failed to convince the majority of vehicle occupants to use their safety belts.

This act would provide an incentive for some individuals to wear their seat belts by reducing the fine or bail imposed for a traffic violation. The Department does not believe that such a law would have as much of a measurable impact on motor vehicle deaths and injuries, as would legislation requiring mandatory safety belt use.

Position

The Department believes that the use of seatbelts can greatly reduce the number of deaths and injuries from motor vehicle crashes. The intent of this act is to encourage such use, but will probably have a minimal impact. The Department's position is neutral on this legislation.

Recommended by: Elizabeth Ward
Elizabeth Ward, M.N.
Director
Division of Public Health

Date: March 19, 1987

Approved by: Myra M. Munson
Myra M. Munson, Commissioner
Department of Health and
Social Services

Date: March 23, 1987



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Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

KARLA L. FORBYTHE
STAFF COUNSEL

303 K Street
Anchorage, Alaska 99501

(907) 284-8228

March 18, 1987

Representative Mike Davis
Alaska State Legislature
P. O. Box V
Juneau, Alaska 99811

Dear Representative Davis:

I am writing to bring to your attention some court system concerns relating to House Bill 158, an act relating to the penalty imposed for certain traffic offenses. This bill would require the supreme court to issue a revised bail schedule incorporating a ten percent reduction in the amount of bail if a person and passengers in a car were wearing seatbelts at the time the infraction was committed.

The bill appears on its face to apply only to infractions. However, vehicle and traffic offenses which the supreme court has listed on the bail schedule include some misdemeanors as well. These provisions could be covered by the statute by amending lines 20 and 25 to change the word "infraction" to the word "offense."

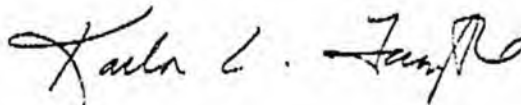
It would also be helpful if the legislation could clarify whether this legislation applies only to offenses under state law, or whether it applies to offenses under municipal ordinances as well.

With regard to the overall impact of this legislation, it appears that the greatest impact would be on enforcement officers, who would be required to determine whether the driver and passengers are wearing seatbelts, to write down the correct bail amount, and to appear in court to testify at a hearing if a person requested a court appearance to question the amount of bail. Any impact on court procedures could be absorbed with existing resources. The court system's fiscal notes is based solely on the anticipated revenue reduction.

Representative Mike Davls
March 18, 1987
Page Two

I hope this information is helpful. Please let me know if you have additional questions.

Sincerely,



Karla L. Forsythe
Staff Counsel

KLF:bs

cc: Representative Drue Pearce
Representative Richard Shultz
Representative Dave Donley
Representative Fran Ulmer, Chair, State Affairs Committee
Representative John Sund, Chair, House Judiciary Committee
Arthur H. Snowden, II, Administrative Director
Robert G. Fisher, Fiscal Officer



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Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

KARLA L. FORSYTHE
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Anchorage, Alaska 99501

(907) 264-8228

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Alaska State Legislature
P. O. Box V
Juneau, Alaska 99811

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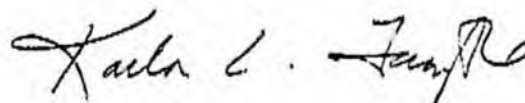
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Representative Mike Davis
March 18, 1987
Page Two

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Sincerely,



Karla L. Forsythe
Staff Counsel

KLF:bs

cc: Representative Drue Pearce
Representative Richard Shultz
Representative Dave Donley
Representative Fran Ulmer, Chair, State Affairs Committee
Representative John Sund, Chair, House Judiciary Committee
Arthur H. Snowden, II, Administrative Director
Robert G. Fisher, Fiscal Officer

3/11/87-1

FISCAL NOTE

REQUEST

Revision Date: _____
 Title: "An Act relating to the penalty imposed for certain traffic offenses."
 Sponsor: Rep. Davis
 Requestor: House State Affairs

Agency Affected: Public Safety
 BRU: Alaska State Troopers
 Components: Detachments and C.I.B.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY88	FY89	FY90	FY91	FY92	FY93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Jmz
2/1/88

Prepared by: Francis C. Allan *G.C.A.*
 Division: Alaska State Troopers

Phone: 269-5691

Date: 2/5/88

Approved by Commissioner: Arthur English *G.A.H.*
 Agency: Public Safety

Date: 2/5/88

Distribution: (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**



REQUEST: _____

Bill Version : HB 158
Publish Date : 3/2/87

Revision Date: _____
Title: An act relating to the penalty imposed for certain traffic offenses

Agency Affected: Health Services
BRU: State Health Services

Sponsor: Davis, Pearce, Shultz, & Donley
Requestor: _____

Components: Public Health Administration Services - EMS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS : (Attach a separate page if necessary)

Enactment of HB 158 would have no direct fiscal impact on the Department of Health and Social Services.

Prepared by: Elizabeth Ward, MN, Director
Division: Public Health

Phone: 465-3090
Date: March 18, 1987

Approved by Commissioner: *Maria M. Munson*
Agency: Dept. of Health & Social Services

Date: 3/23/87

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**



Bill Version: HB 158
Publish Date:

REQUEST: _____

Revision Date: _____ Agency Affected: Alaska Court System
 Title: An act relating to the penalty imposed for certain traffic offenses BRU: Trial Courts
 Sponsor: Davis, Pearce, Schultz, ... Components:
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)						
OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
Personal Services
Travel
Contractual
Supplies
Equipment
Land & Structures
Grants & Claims
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL
REVENUE	(19.2)	(19.2)	(19.2)	(19.2)	(19.2)	(19.2)

FUNDING: (Thousands of Dollars)						
General Funds	0.0	0.0	0.0	0.0	0.0	0.0
Federal Funds	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Other	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:						
Full-time	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Part-time	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Temporary	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: Robert G. Fisher, Fiscal Officer Phone: 264-8215
 Division: Alaska Court System Date: 3-19-87
 Approved by: *Stephanie J. Cole* Stephanie J. Cole, Deputy Director Date: 3-19-87
 Agency: Alaska Court System

- Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management & Budget
 Impacted Agency(ies)
 Senate Secretary

ALASKA COURT SYSTEM

FISCAL NOTE

HB 158

This legislation allows a 10 percent reduction in traffic bail or fine amounts for moving violations, if all persons in the vehicle are wearing seatbelts at the time of committing the infraction. This legislation will reduce fine and forfeiture revenues to the state.

To estimate fiscal impact, the Court obtained information from the Alaska Seatbelt Use Coalition on seatbelt utilization. The Coalition's studies indicate that approximately 35% of Anchorage drivers and 39% of Fairbanks drivers wear seatbelts or a simple average of 37% for both areas. Information is not available for other areas of the state or for passenger seatbelt usage. For estimating the impact of this legislation on revenues, it is assumed that driver and passenger seatbelt utilization will average 37% for the entire state.

The fiscal impact is estimated as follows.

Estimated statewide traffic violation revenues from moving violations	\$520,000
Estimated percentage of seatbelt usage	37% -----
Estimated statewide revenues for traffic violations involving drivers and passengers using seatbelts	192,400
Bail or fine reduction percentage for seatbelt use	10% -----
Estimated reduction in statewide traffic violation revenues	\$19,240 =====