

SB

153

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 4/22/87 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: JUDICIARY  
*Finance*

\*\*FISCAL NOTE(S) ATTACHED \_\_\_\_\_ \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

3/2/87

DATE TURNED INTO OFFICE 4-28-87

Mr. President:

STATE AFFAIRS

Committee considered SB 153

penalty imposed for certain traffic offenses.

and recommended:

- replace with CS \_\_\_\_\_  same title
- attached amendment(s) and  new title

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted and attached

\*\* Committee  attached/or  adopted fiscal note(s)  
 zero (2)  fiscal impact (1)

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

*Rich Lehling DO PASS*

*Rep. Josephson*

*Jim [unclear]*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Sen. [unclear]*

Chairman signature and recommendation

Committee Backup Attached

BILL NO: SB 153

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  
P#S#T#R#O#O#P#E#R#S#

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.

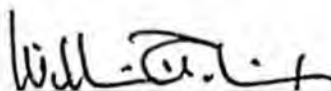
This may confuse some people who mail in bail. They may not discount the 10% when deserved while others may discount the 10% when they in fact were not wearing belts. (The issue may be in dispute).

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. Mix  
Acting Commissioner

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: SB 153

Publish Date: \_\_\_\_\_

REQUEST \_\_\_\_\_

Revision Date: \_\_\_\_\_

Agency Affected: Public Safety

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

BRU: Alaska State Troopers

Sponsor: Sen. Fahrenkamp

Components: Detachments & CI8

Requestor: Senate State Affairs

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           |       |       |       |       |       |       |

FUNDING:: (Thousands of Dollars)

|               |   |   |   |   |   |   |
|---------------|---|---|---|---|---|---|
| GENERAL FUNDS | 0 | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS |   |   |   |   |   |   |
| OTHER         |   |   |   |   |   |   |
| TOTAL         |   |   |   |   |   |   |

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

JNR  
3/9/87

Prepared by: Francis C. Allan

Phone: 269-5691

Division: Alaska State Troopers

Date: 3/6/87

Approved by Commissioner: William R. Nix

Date: 3/9/87

Agency: Public Safety

Distribution (by preparer):

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

SB 153 An Act Relating to the penalty imposed for certain traffic offenses by Senator Fahrenkamp.

Sectional Analysis by Senator Fahrenkamp's office 4/27/87

Section 1. AS 28.05.151(b) Form and Issuance of Citation

Amended to include reference to proposed Section 2 of the bill.

Section 2. AS 28.40.050 Penalty for violations of law, regulations, and municipal ordinances.

Adds a new subsection (f) which would give a 10% reduction in the amount of a bail or fine if the driver and any passengers were wearing seatbelts at the time of a commission of a moving traffic violation for which the Supreme Court has established a scheduled amount of bail.

Examples of such infractions are speeding, running a stop sign or red light, or equipment violations, i.e. infractions that do not carry jail time. It does not apply to infractions requiring court appearances, misdemeanors, or felonies, such as driving while intoxicated, reckless driving, or negligent homicide.

This bill would apply only to those municipalities for which the Supreme Court has established bail for violations of municipal ordinances.



Alaska Court System  
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

KARLA L. FORSYTHE  
STAFF COUNSEL

303 K Street  
Anchorage, Alaska 99501

(907) 264-8228

March 18, 1987

Senator Bettye Fahrenkamp  
Alaska State Legislature  
P. O. Box V  
Juneau, Alaska 99811

Dear Senator Fahrenkamp:

I am writing to bring to your attention some court system concerns relating to Senate Bill 153, 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."

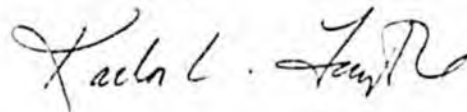
It would also be helpful if the legislation could clarify whether this legislation applies only to offenses under state law, or whether it applies to offenses under municipal ordinances as well.

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.

Senator Bettye Fahrenkamp  
March 18, 1987  
Page Two

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Karla L. Forsythe".

Karla L. Forsythe  
Staff Counsel

KLF:bs

cc: Senator Mitchell Abood, Chair, State Affairs  
Senator Jay Kerttula, Chair, Senate Judiciary Committee  
Arthur H. Snowden, II, Administrative Director  
Robert G. Fisher, Fiscal Officer

3/11/87-1

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

Bill Version: SB 153  
Publish Date:

**REQUEST:** \_\_\_\_\_

Revision Date:  
Title: An act relating to the penalty  
imposed for certain traffic offenses  
Sponsor: Fahrenkamp  
Requestor:

Agency Affected: Alaska Court System  
BRU: Trial Courts  
Components:

| <b>EXPENDITURES/REVENUES:</b> |                | (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               | . . . .        | . . . .                | . . . .        | . . . .        | . . . .        | . . . .        |
| <b>TOTAL OPERATING</b>        | <b>0.0</b>     | <b>0.0</b>             | <b>0.0</b>     | <b>0.0</b>     | <b>0.0</b>     | <b>0.0</b>     |
| <b>CAPITAL</b>                | <b>. . . .</b> | <b>. . . .</b>         | <b>. . . .</b> | <b>. . . .</b> | <b>. . . .</b> | <b>. . . .</b> |
| <b>REVENUE</b>                | <b>(19.2)</b>  | <b>(19.2)</b>          | <b>(19.2)</b>  | <b>(19.2)</b>  | <b>(19.2)</b>  | <b>(19.2)</b>  |

| <b>FUNDING:</b> |            | (Thousands of Dollars) |            |            |            |            |
|-----------------|------------|------------------------|------------|------------|------------|------------|
| General Funds   | 0.0        | 0.0                    | 0.0        | 0.0        | 0.0        | 0.0        |
| Federal Funds   | . . . .    | . . . .                | . . . .    | . . . .    | . . . .    | . . . .    |
| Other           | . . . .    | . . . .                | . . . .    | . . . .    | . . . .    | . . . .    |
| <b>TOTAL</b>    | <b>0.0</b> | <b>0.0</b>             | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

| <b>POSITIONS:</b> |         |         |         |         |         |         |
|-------------------|---------|---------|---------|---------|---------|---------|
| Full-time         | . . . . | . . . . | . . . . | . . . . | . . . . | . . . . |
| Part-time         | . . . . | . . . . | . . . . | . . . . | . . . . | . . . . |
| Temporary         | . . . . | . . . . | . . . . | . . . . | . . . . | . . . . |

**ANALYSIS:** (Attach a separate page if necessary)

See attached analysis.

Prepared by: Robert G. Fisher, Fiscal Officer  
Division: Alaska Court System

Phone: 264-8215  
Date: 3-19-87

Approved by: *Stephanie J. Cole*  
Stephanie J. Cole, Deputy Director  
Agency: Alaska Court System

Date: 3-19-87

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

ALASKA COURT SYSTEM

FISCAL NOTE

SB 153

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  |

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

**REQUEST:** \_\_\_\_\_

Bill Version: HB 158 / SB 153  
Publish Date: 3/2/87

Revision Date: \_\_\_\_\_  
Title: An act relating to the penalty imposed for certain traffic offenses  
Sponsor: Davis, Pearce, Shultz, & 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          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> |

|                |            |            |            |            |            |            |
|----------------|------------|------------|------------|------------|------------|------------|
| <b>CAPITAL</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> |
|----------------|------------|------------|------------|------------|------------|------------|

|                |            |            |            |            |            |            |
|----------------|------------|------------|------------|------------|------------|------------|
| <b>REVENUE</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> |
|----------------|------------|------------|------------|------------|------------|------------|

**FUNDING: (Thousands of Dollars)**

|               |            |            |            |            |            |            |
|---------------|------------|------------|------------|------------|------------|------------|
| GENERAL FUND  |            |            |            |            |            |            |
| FEDERAL FUNDS |            |            |            |            |            |            |
| OTHER         |            |            |            |            |            |            |
| <b>TOTAL</b>  | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> |

**POSITIONS:**

|                  |            |            |            |            |            |            |
|------------------|------------|------------|------------|------------|------------|------------|
| FULL-TIME        |            |            |            |            |            |            |
| PART-TIME        |            |            |            |            |            |            |
| <b>TEMPORARY</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> |

**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

Position Paper

House Bill No. 158/SB 153

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