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SENATE COMMITTEE REPORT

FURTHER

3/10/89
Mr. President:
FINANCE

DATE TURNED INTO OFFICE 4/24/89

Committee considered SB 98

penalty imposed for certain traffic offenses

and recommended


- replace with _____ CS _____) same title
- or adopt _____ CS SB 98 (Jud)) new title
- attached amendment(s) and technical title change (HB only)
- _____ letter of intent adopted

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

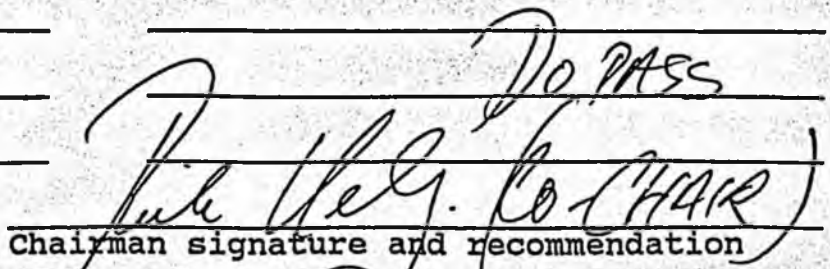
FISCAL NOTE(S) zero fiscal impact appropriation no FN
 new updated previous DPS & 3/10/89 COURTS (19.2) 3/10/89
 same as previous fiscal note(s) published _____

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS



Do not rec
that of Sheriff Nolan

Do Pass


 Chairman signature and recommendation

Committee Backup attached

John R...

 CO-CHAIR

R/O SFC 4-24-89

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: CSSB 98 (Jud) (b)
PUBLISH DATE: 3/13/89

FISCAL NOTE

REQUEST:

Revision Date: 3/10/89
Title: Reduction of fines and bail
for seatbelt use
Sponsor: Senate Judiciary
Requestor: Senate Judiciary

Agency Affected: Public Safety
BRU: Alaska State Troopers
Component: Detachments & CIB

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

JAM
3/10/89

Prepared by: Francis C. Allan
Division: Alaska State Troopers

Phone: 269-5591
Date: 3/10/89

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

Date: 3/10/89

R/O SEC 4-24-89

STATE OF ALASKA 1989 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST:

Bill Version: CS SB 98 (JUD) (a)
Publish Date: 3/10/89

Revision Date: 3/10/89
Title: An act relating to the penalty imposed for certain traffic offenses
Sponsor:
Requestor: Fahrenkamp

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

EXPENDITURES/REVENUES:	(Thousands of Dollars)					
OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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)

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: *Jan Strandberg*
 Division: Alaska Court System Phone: 264-8228
 Date: 03/10/89

Approved by: *Arthur H. Snowden, II*
 Agency: Alaska Court System Date: 03/10/89

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

Alaska Court System
Fiscal Analysis for CS SB 98

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 the fiscal impact, the court obtained information from the Alaska Seatbelt Use Coalition on seatbelt utilization. The Coalition's studies indicate that approximately 35 percent of Anchorage drivers and 39 percent of Fairbanks drivers wear seatbelts or a simple average of 37 percent 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 percent for the entire state.

Although this CS takes effect immediately, the necessary changes to the bail schedules and their implementation should not significantly impact revenues for FY 89.

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 =====

Offered: 3/10/89
Referred: Finance

R/O SFC 4-24-89
6-0462E

Original sponsors: Fahrenkamp, Coghill,
Eliason, and Zharoff

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 98 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing a reduction in the scheduled bail
7 or fine imposed against certain persons cited for
8 committing a moving traffic infraction; and providing
9 for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 28.05.151 is amended to read:

12 Sec. 28.05.151. CITATIONS FOR SCHEDULED VEHICLE AND TRAFFIC
13 OFFENSES. The supreme court shall determine by rule or order those
14 motor vehicle and traffic offenses, except for offenses subject to a
15 scheduled municipal fine, that are amenable to disposition without
16 court appearance and shall establish a scheduled amount of bail, not
17 to exceed fines prescribed by law, for each offense. A municipality
18 shall determine by ordinance the municipal motor vehicle and traffic
19 offenses that may be disposed of without court appearance and shall
20 establish a fine schedule for each offense. A schedule of bail estab-
21 lished by the supreme court or a schedule of fines established by a
22 municipality must incorporate the reduction applicable under AS 28.-
23 40.050(f).

24 * Sec. 2. AS 28.40.050 is amended by adding a new subsection to read:

25 (f) A person who is cited for committing a moving traffic in-
26 fraction for which the supreme court or a municipality has established
27 a scheduled amount of bail or fine shall receive a 10 percent re-
28 duction in the amount of bail or fine otherwise applicable to the
29 offense if the person and all passengers were wearing seat belts or

98-46-4 940 0/9

- 1 were secured in child safety devices as required under AS 28.05.095,
- 2 at the time of the commission of the infraction.
- 3 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

Alaska State Legislature



Senate

SENATOR BETTYE FAHRENKAMP
CHAIRMAN, RESOURCES COMMITTEE
119 N. CUSHMAN STREET, SUITE 201
FAIRBANKS, ALASKA 99701
OFFICE (907) 452-4882
HOME (907) 456-2899

WHILE IN JUNEAU
P.O. BOX V
JUNEAU, ALASKA 99811
CAPITOL, ROOM 125
OFFICE (907) 465-3834
HOME (907) 780-6027

MEMORANDUM

TO: Senator Rick Uehling, Co-Chairman
Senate Finance Committee

FROM: Senator Bettye Fahrenkamp

DATE: April 11, 1989

RE: Sectional Analysis of CSSB 98

CSSB 98 "An Act providing a reduction in the scheduled bail or fine imposed against certain persons cited for committing moving traffic infraction; and providing for an effective date."

Section 1. AS 28.05.151 Citations for scheduled vehicle and traffic offenses.

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, or if children were secured in restraint devices, at the time of a commission of a moving traffic infraction for which the Supreme Court has established a scheduled amount of bail.*

*Examples of such infractions are speeding, ignoring a stop sign or red light, i.e. infractions that do not carry jail time or require a court appearance. It does not apply to felonies, misdemeanors, or infractions requiring court appearances. For instance, if a driver was charged with driving while intoxicated, reckless driving, or negligent homicide, he or she would not receive a reduction.

SECTIONAL ANALYSIS - CS (JUD)

Alaska State Legislature

SENATOR BETTYE FAHRENKAMP
CHAIRMAN, RESOURCES COMMITTEE
119 N. CUSHMAN STREET, SUITE 201
FAIRBANKS, ALASKA 99701
OFFICE (907) 452-4882
HOME (907) 456-2899



Senate

WHILE IN JUNEAU
P.O. BOX V
JUNEAU, ALASKA 99811
CAPITOL, ROOM 125
OFFICE (907) 465-3334
HOME (907) 780-6027

MEMORANDUM

TO: Senator Rick Uehling, Co-Chairman
Senate Finance Committee

FROM: Senator Bettye Fahrenkamp

DATE: April 10, 1989

RE: Schedule CSSB 98 (JUD), "An Act providing a reduction in the scheduled bail or fine imposed against certain persons cited for committing a moving traffic infraction; and providing for an effective date."

I would appreciate it if you would schedule CSSB 98 for a hearing at the earliest possible time. Attached is a sectional analysis and fiscal notes. If you have any questions, please call me or my staff person, Tom Moyer. Thank you.

Alaska State Legislature

SENATOR BETTYE FAHRENKAMP
CHAIRMAN, RESOURCES COMMITTEE
119 N. CUSHMAN STREET, SUITE 201
FAIRBANKS, ALASKA 99701
OFFICE (907) 452-4882
HOME (907) 458-2899



Senate

WHILE IN JUNEAU
P.O. BOX V
JUNEAU, ALASKA 99811
CAPITOL, ROOM 125
OFFICE (907) 465-3834
HOME (907) 780-8027

MEMORANDUM

TO: Senator Al Adams, Chairman
Senate Community & Regional Affairs Committee

FROM: Senator Bettye Fahrenkamp

DATE: February 20, 1989

RE: Sectional Analysis of SB 98

SB 98 "An Act Relating to the penalty imposed for certain traffic offenses".

Section 1. AS 28.05.151 Citations for scheduled vehicle and traffic offenses.

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 infraction for which the Supreme Court has established a scheduled amount of bail.*

*Examples of such infractions are speeding, ignoring a stop sign or red light, i.e. infractions that do not carry jail time or require a court appearance. It does not apply to felonies, misdemeanors, or infractions requiring court appearances. For instance, if a driver was charged with driving while intoxicated, reckless driving, or negligent homicide, he or she would not receive a reduction.

Analysis - Original Bill

BILL NO: SB 98

DATE: 02/21/89

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

CONTACT: Ellen Moore
Program Coordinator
HSPA
465-4375

DEPARTMENT OF
PUBLIC SAFETY

This bill would reduce by 10 percent the fine imposed on violators of traffic laws if they and their passengers were wearing seatbelts when stopped by the citing officer. This bill may provide an incentive for persons to wear seatbelts.

The citing officer would have to be very alert to know if the occupants were actually using their seatbelts at the time of the offense, or simply put them on when they realized they were being stopped.

The Department of Public Safety takes no position on this legislation.



for Arthur English
Commissioner

Position Paper - DPS

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**STATE OF ALASKA 1989 LEGISLATIVE SESSION
FISCAL NOTE**

JAN 26 1989

REQUEST:

Bill Version: SB 98 (a)
Publish Date: 2/22/89

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

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

EXPENDITURES/REVENUES:		(Thousands of Dollars)				
	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
OPERATING						
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)

FUNDING:		(Thousands of Dollars)				
	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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:						
	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Full-time
Part-time
Temporary

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: *Jan Strandberg* Jan Strandberg, General Counsel Phone: 264-8228
 Division: Alaska Court System Date: 01/23/89

Approved by: *Stephanie Cole for* Arthur H. Snowden, II, Administrative Director Date: 01/23/89
 Agency: Alaska Court System

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

Fiscal Analysis for SB 98

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 the fiscal impact, the court obtained information from the Alaska Seatbelt Use Coalition on seatbelt utilization. The Coalition's studies indicate that approximately 35 percent of Anchorage drivers and 39 percent of Fairbanks drivers wear seatbelts or a simple average of 37 percent 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 percent for the entire state.

The fiscal impact is estimated as follows:

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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
1989 LEGISLATIVE SESSION

BILL VERSION: SB 98 (b)
PUBLISH DATE: 2/22/89

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to the penalty imposed for certain traffic offenses."
Sponsor: Senator Fahrenkamp
Requestor: Senate C&RA

Agency Affected: Public Safety
BRU: Alaska State Troopers
Component: Detachments & C.I.B.

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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-
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
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.

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

Phone: 269-5691
Date: 01/20/89

Approved by Commissioner: S.U.H. Arthur English
Agency: Department of Public Safety

Date: 1-24-89

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: An Act relating to the penalty imposed for certain traffic offenses
 Sponsor: Fahrenkamp
 Requestor: (S) CRA

Agency Affected: H&SS
 BRU: State Health Services
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Elizabeth Ward, Director *E. Ward* Phone: 465-3090
 Division: Public Health Date: 2/24/89

Approved by Commissioner: Myra M. Munson *Myra M. Munson* Date: 3/6/89
 Agency: Department of Health and Social Services

Distribution (by preparer):

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

RECEIVED

MAR 8 1989

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