

**Department of Planning and Budget**  
**2002 Fiscal Impact Statement**

**1. Bill Number** HB1261

**House of Origin**      ☐ Introduced      ☐ Substitute      ☐ Engrossed

**Second House**      ☐ In Committee      ☐ Substitute      ☒ Enrolled

**2. Patron** Rapp

**3. Committee** Passed both Houses

**4. Title** Approaching stationary emergency vehicles on highways.

**5. Summary/Purpose:** Requires drivers, when approaching stationary emergency vehicles on highways, where possible, to change lanes or, when lane changing is either unreasonable or unsafe, to proceed with caution. Violations are Class 1 misdemeanors. However, if a violation results in damage to property of another person, the court may order the suspension of the driver's privilege to operate a motor vehicle for not more than one year. If the violation resulted in injury to another person, the court must, in addition to any other penalty, order the suspension of the driver's privilege to operate a motor vehicle for not more than two years. If the violation resulted in the death of another person, the court may, in addition to any other penalty, order the suspension of the driver's privilege to operate a motor vehicle for two years. This bill is modeled on "Scott's Law" from Illinois.

**6. Fiscal Impact:** FINAL, see Item 8.

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** The fiscal impact of the proposed legislation is not known. Any fiscal impact would depend on the number of convictions. Any increase in jail population due to the imposition of a Class 1 misdemeanor will increase costs to the state.

The Commonwealth pays the localities \$8.00 a day for each misdemeanor held in a jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per inmate, per day basis varies from locality to locality. The estimated total state support for local jails per inmate, per day, averaged approximately \$30.94 in FY 2000.

**9. Specific agency or political subdivisions affected:** Compensation Board, local and regional jails.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 03/14/02/jgc

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cc:SecretaryofAdministration