

January 30, 2015

The Honorable Richard Proehl, Chairperson
House Committee on Transportation
Statehouse, Room 581-W
Topeka, Kansas 66612

Dear Representative Proehl:

SUBJECT: Fiscal Note for HB 2033 by House Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2033 is respectfully submitted to your committee.

HB 2033 would allow the driver of a passenger vehicle, motorcycle, or truck, not towing any other vehicle or trailer, to exceed the speed limit up to 10 miles per hour while passing another vehicle traveling below the speed limit. The bill would only be applicable to two lane roadways that have movement in both directions and where the speed limit is 50 miles per hour or greater. The bill's provisions would not be applicable in construction zones. A driver exceeding the 10 miles per hour limitation would be subject to all applicable penalties for exceeding the posted speed limit, based on the actual speed of the vehicle.

The Office of Judicial Administration indicates passage of HB 2033 could affect both docket fee and fine revenues as fewer tickets could be issued. The Office also states more individuals could contest their traffic citations in court instead of paying the ticket without a court appearance to contend they were attempting to pass another vehicle. Until the courts have been given an opportunity to operate under the provisions of HB 2033, an accurate estimate of the fiscal effect upon the Judicial Branch cannot be given. Any fiscal effect associated with HB 2033 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ben Cleeves, Transportation
Mary Rinehart, Judiciary
Kim Torrey, Highway Patrol