

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 6488**  
**BILL NUMBER: HB 1106**

**DATE PREPARED:** Jan 24, 2000  
**BILL AMENDED:** Jan 24, 2000

**SUBJECT:** Use of brakes on the toll road.

**FISCAL ANALYST:** James Sperlik  
**PHONE NUMBER:** 232-9866

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill requires the Department of Transportation to adopt rules to control the use of compression release engine brakes when a motor vehicle is using the Indiana Toll Road in Porter County. The rules must include the limitation of the use of the compression release engine brakes instead of the service brake system, except in the case of failure of the service brake system.

**Effective Date:** Upon passage; July 1, 2000.

**Explanation of State Expenditures:** For the Department of Transportation, the rule making can be accomplished within their current rule making process with no additional expenditures. The fund affected is the State Highway Fund.

**Explanation of State Revenues:** The bill provides a Class C infraction as a penalty for violating the provisions of this bill. If additional court cases occur, revenue to the State General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500 which is deposited in the State General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the State General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

If a criminal action, infraction or ordinance violation involves a traffic violation, including this proposed offense, a highway work zone fee of either 50 cents or \$25.50 is assessed.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive

3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.(2) A \$3 fee would be assessed, and if collected would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

**State Agencies Affected:** Department of Transportation.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**