

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

301 State House
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FISCAL IMPACT STATEMENT

LS 7742

BILL NUMBER: HB 1800

DATE PREPARED: Jan 19, 2001

BILL AMENDED:

SUBJECT: Operation of motorized bicycles.

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FUNDS AFFECTED: X

X

**GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill provides that an operator of a motorized bicycle who does not otherwise hold a license or permit from the Bureau of Motor Vehicles (BMV) must successfully complete an examination for certification of ability to operate a motorized bicycle, to be given by the Bureau of Motor Vehicles or the school corporation in which the operator resides. It requires the operator of a motorized bicycle to carry a certification of ability to operate a motorized bicycle, or a motor vehicle license or permit when operating a motorized bicycle. The bill provides for a fee of \$10 for the issuance of a certification of ability to operate a motorized bicycle. It requires an operator of a motorized bicycle to maintain financial responsibility. The bill requires the Bureau of Motor Vehicles to suspend the certification of ability to operate a motorized bicycle when recommended to do so by a court. It provides that a person operating a motorized bicycle has the same rights and duties of a person who operates a motor vehicle. The bill makes conforming changes.

Effective Date: July 1, 2002.

Explanation of State Expenditures: Currently, the BMV does not register or license motorized bicycles. Also, the number of motorized bicycles in the state is not known. The provisions of this bill require the BMV and/or local school corporations to issue a Certification of Ability to operate a motorized bicycle to someone who is at least fifteen years of age. It is not known how many of those eligible for the newly created certificate will secure the document. For the BMV, there will be computer changes to accommodate the issuance of the Certification of Ability to operate a motorized bicycle. In addition, the BMV must coordinate the issuance of the same document by the local school corporations. The computer changes are estimated at \$45,000. In addition, there will be printing costs associated with the new document. The printing costs are expected to be minimal and would be absorbed within the current BMV budget. It is likely that additional staff time will be devoted to the new document, both at the BMV and at the license branches.

It is assumed that the BMV or the school corporation will give the test to the applicant, score the test immediately, and provide the applicant with the necessary document. The bill also requires the applicant to

secure an identification card. If this is the situation, the branches can handle the testing and scoring. The fund affected at the branches is the State License Branch Fund.

Explanation of State Revenues: The bill provides for a \$10 fee for the certification. The revenue generated from this fee is deposited into the Motor Vehicle Highway Account. The fee for the required identification card is \$5, with \$2 deposited into the Motor Vehicle Highway Account and \$3 deposited into the State License Branch Fund. The specific revenue is not known.

Penalty Provision: 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.

Explanation of Local Expenditures: For those school corporations that provide this test, there will be expenditures and time required to coordinate the giving of the test and informing the BMV. The resources required will depend upon the number who apply and pass the test for certification. It is assumed that the BMV will provide the school corporations with the necessary number of tests.

Explanation of Local Revenues: The school corporation is to charge \$10 and transmit the revenue to the BMV.

Penalty Provision: 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: Bureau of Motor Vehicles.

Local Agencies Affected: School Corporations; Trial courts, local law enforcement agencies.

Information Sources: