

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6062

BILL NUMBER: HB 1060

NOTE PREPARED: Nov 6, 2002

BILL AMENDED:

SUBJECT: Operation of Motorized Bicycles.

FIRST AUTHOR: Rep. Cheney

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires an individual operating a motorized bicycle upon an Indiana highway to carry a valid state identification card, learner's permit, or driver's license. It provides that a person operating a motorized bicycle has the same rights and duties as a person who operates a motor vehicle for purposes of the motor vehicle code, with certain exceptions. The bill specifies equipment and operating rules required for the use of a motorized bicycle.

Effective Date: July 1, 2003.

Explanation of State Expenditures: Since the Bureau of Motor Vehicles (BMV) does not register or license motorized bicycles, the number of motorized bicycles in the state is not known. This proposal likely will not increase the expenditures for the BMV. The fund affected is the Motor Vehicle Highway Account which supports the BMV.

Explanation of State Revenues: Requiring possession of a valid state identification card, learner's permit, or driver's license, issued to the individual when operating a motorized bicycle upon an Indiana highway could result in the increased issuance of these documents, but the specific impact is indeterminable. The funds affected are the Motor Vehicle Highway Account, the State License Branch Fund, and the BMV Technology Fund into which the revenue from the above permits, fees, licenses, and cards is deposited.

Penalty Provision: Violation of IC 9-21-11 is subject to a Class C infraction. 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:

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: Bureau of Motor Vehicles.

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

Information Sources:

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