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FISCAL IMPACT REPORT

SPONSOR: Hererra DATE TYPED: 03/04/01 HB 401/aHJC
 SHORT TITLE: Speeding in Construction Zone SB _____
 ANALYST: Rael

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY01	FY02			
	\$ 326.0	\$ 391.0	Recurring	General Fund

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

Department of Public Safety (DPS)
 Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment changes the title to include “Construction or Other Public Safety Zones” and adds language to specify the posted speed limit for such zones will be determined by an engineering study performed by the State Highway and Transportation Department.

Synopsis of Original Bill

This measure would amend Section 66-8-116 NMSA to impose fines for speeding in construction zones that are twice current amounts specified under statute for speeding in non-construction areas. The current and proposed schedules are shown below:

Miles per hour over limit:	Current Fine	Proposed - Speeding in Construction Zone
0 to 10	\$ 15	\$ 30
11 to 15	\$ 30	\$ 60
16 to 20	\$ 65	\$130
25 to 25	\$100	\$200
26 to 30	\$125	\$250
31 to 35	\$150	\$300
36 and above	\$200	\$400

FISCAL IMPLICATIONS

The estimate above is based on a recent observed increase by TRD of approximately \$2.30 per paid penalty assessment multiplied by 170,000 paid assessments. Since about 60 percent of assessments are uncontested, the figure would be \$652,000 if all assessments were uncontested and paid. The estimate shown above differs from last year's \$1.2 million estimate because the Albuquerque program generated additional revenues for the General Fund. Hence the estimate shown above is the increased revenues likely to result from the proposed legislation.

OTHER SUBSTANTIVE ISSUES

1. DPS is concerned about the lack of language regarding signage to indicate that an individual is in fact entering a construction zone with an enhanced speed limit fine provision.
2. The Department might find this bill easier to record and administer if the Uniform Traffic Code was amended to include separate violations applicable only to construction zones.
3. According to experts, drivers frequently ignore speed limits and lane limitations in construction zones. This bill will help ensure the safety of construction workers.
4. According to the Traffic Safety Bureau of the New Mexico Highway and Transportation Department, there are about 100 convictions for speeding violations per 1,000 licensed drivers annually in New Mexico annually. This figure varies enormously among counties, however.

FAR/ar:njw