

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6501
BILL NUMBER: HB 1512

NOTE PREPARED: Jan 29, 2003
BILL AMENDED: Jan 27, 2003

SUBJECT: Transporting Gravel on Highways.

FIRST AUTHOR: Rep. Welch
FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: GENERAL
 DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) The bill requires a truck hauling certain materials on a highway to have the load covered.

Effective Date: July 1, 2003.

Explanation of State Expenditures: (Revised) The bill would require all trucks carrying loads on the highway to be covered in a manner that prohibits the load from escaping the vehicle. The requirement would effect the state fleet of trucks, primarily used by the Indiana Department of Transportation (INDOT). There are approximately 1,100 trucks in the state fleet that would require a tarp. INDOT estimates a simple tarp would cost \$500 and that a more expensive motorized tarp would cost \$1,200, leading to a total cost range between \$500,000 and \$1,000,000.

Explanation of State Revenues: (Revised) The bill would add a Class C infraction for a gravel-hauling truck to drive or move on a highway without a proper cover. 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: (Revised) Local units of government could incur costs for truck coverings, if they operate vehicles on the highway.

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: Indiana Department of Transportation.

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

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