

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** HB 1696 (House Committee Substitute)

**SHORT TITLE:** Law Enforcement Escort Fee

**SPONSOR(S):** Rep. Cole

<b>FISCAL IMPACT</b>					
	<b>Yes (X)</b>	<b>No ( )</b>	<b>No Estimate Available ( )</b>		
	<b><u>FY 2002-03</u></b>	<b><u>FY 2003-04</u></b>	<b><u>FY 2004-05</u></b>	<b><u>FY 2005-06</u></b>	<b><u>FY 2006-07</u></b>
<b>REVENUES</b>	\$ 201,410	\$ 201,410	\$ 201,410	\$ 201,410	\$ 201,410
<b>EXPENDITURES</b>	\$ 201,410	\$ 201,410	\$ 201,410	\$ 201,410	\$ 201,410

**POSITIONS:**

**PRINCIPAL DEPARTMENT(S) &  
PROGRAM(S) AFFECTED:** Crime Control and Public Safety: State Highway Patrol

**EFFECTIVE DATE:** When it becomes law.

**BILL SUMMARY:** Amends G.S. 20 to require a person or entity to pay a fee to the Department of Crime Control and Public Safety to cover the cost of a State Highway Patrol escort for the transport of any oversized or hazardous load in the State if an escort is required by the Department of Transportation or by any federal agency or commission or if an escort is requested. The Department of Crime Control and Public Safety must establish fees to carry out this act.

**ASSUMPTIONS AND METHODOLOGY:** The State Highway Patrol currently provides escorts for transports of oversized loads and hazardous material shipments through the state. While automobiles are used for most escorts, helicopters may be used for some hazardous material shipments transported by train. Note that the hazardous material escorts are a fairly recent requirement arising from the events of September 11. The federal government issued guidance advising states to strengthen security measures related to hazardous material transports, including the recommendation to provide escorts of cargo trains transporting nuclear or other hazardous materials. The federal guidance also recommends the use of aircraft to escort these trains along their entire route through the state. The State Highway Patrol provided the first hazardous shipment escort in December 2001.

Data provided by the Highway Patrol for the period January 2001 through June 2002 was used to determine the averages for escorts provided each month as indicated in the following table:

Type of Escort	Number of Escorts per Month	Number of Staff Hours per Escort	Miles Driven Per Escort	Number Aircraft Hours per Escort	Meal Cost
Oversized Load	169	1.25	31	N/a	N/a
Hazardous Materials (without aircraft)	2	24	336	N/a	\$ 43.40
Hazardous Materials (with aircraft)	2	13	434	4.7	\$ 21.33

The costs incurred by the Highway Patrol include hourly salary and benefits cost, fuel costs for the vehicles, and, if applicable, meal reimbursements. In the case of helicopter escorts, the Highway Patrol also incurs an aircraft cost, an hourly operating rate that includes both personnel and non-salary related operating costs. The aircraft rate is based upon the “public rate” calculated by the U.S. Department of Defense for an OA-58 helicopter. The rates are:

Personnel (salary and benefits)	\$ 28.38/hour
Vehicle	\$ .38/mile
Aircraft	\$ 643.94/hour
Meals (state approved rate)	\$ 6.50/breakfast
	\$ 8.50/lunch
	\$ 14.50/dinner

The data for the period January 2001 through June 2002 was used to project the number of escorts to be provided in Fiscal Year 2002-03 and beyond. Assuming no change in the number of escorts required, the Highway Patrol is projected to provide 2,028 oversized load escorts and 48 hazardous shipment escorts for a total of 2,076 annually. About one-half of the hazardous shipment escorts will require the use of aircraft. Using current rates for staff, vehicle, meals, and aircraft, it is estimated that the annual cost to the State Highway Patrol to provide escorts for 2,076 oversized and hazardous shipments will be \$201,410.

**SOURCES OF DATA:** Research and Evaluation Section, State Highway Patrol Division, Department of Crime Control and Public Safety.

**FISCAL RESEARCH DIVISION: (919) 733-4910**

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**DATE:** July 23, 2002



**Signed Copy Located in the NCGA Principal Clerk's Offices**