

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: Senate Bill 1214 (First Edition)

SHORT TITLE: Highway Patrol Motor Carrier Fines and Fees.

SPONSOR(S): Senator Jenkins

FISCAL IMPACT					
	Yes ()	No (X)	No Estimate Available ()		
	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>
REVENUES			No Fiscal Impact		
EXPENDITURES			No Fiscal Impact		
POSITIONS (cumulative):	0	0	0	0	0
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: State Highway Patrol					
EFFECTIVE DATE: July 1, 2010					

BILL SUMMARY:

This bill makes technical and conforming changes to comply with the Federal Motor Carrier Safety regulations. It enacts new G.S. 20-96(c) to allow a law enforcement officer to seize a motor vehicle pursuant to G.S. 20-96(a), regardless of the statutes of limitation provided in G.S. Chapter 1. It amends G.S. 20-118(c) to add vehicles registered pursuant to G.S. 20-88 for the maximum weight allowed for that vehicle configuration to the categories excepted from the weight limitations and penalties applicable to vehicles in the state. The bill makes additional conforming changes to amend G.S. 20-196.4 to designate that oversized and hazardous shipment escort fees collected by the Department of Crime Control and Public Safety (Department) cover the actual escorting expenses when required by the Department of Transportation (DOT) and allows the State Highway Patrol to use any remaining fees on vehicle and equipment maintenance. It removes the Department's reporting requirement and enacts new G.S. 1-52(20) to apply a three-year statute of limitation to civil penalties, assessments, or fines imposed under G.S. Chapter.

Source: Bill Digest S.B. 1214 (05/18/0201).

ASSUMPTIONS AND METHODOLOGY:

The changes proposed in this bill are technical changes that will not yield any change in tax revenue or require any additional budget appropriations to support these changes.

SOURCES OF DATA: State Highway Patrol

TECHNICAL CONSIDERATIONS

G.S. 143C-1-2 of the State Budget Act requires an act of appropriation to withdraw State funds. This statute states that "an enactment by the General Assembly that authorizes, specifies, or otherwise provides that funds may be used for a particular purpose is not an appropriation." Section 4(d) of this bill should be amended to specify funds are appropriated for the purposes identified.

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DATE: June 28, 2010



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