

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: Original
POSITION: Neutral

BILL NUMBER: SB 67
AUTHOR: D. Perata

BILL SUMMARY: Vehicle Impound: Reckless Driving

This bill would authorize a peace officer to impound a vehicle for up to 30 days when the driver is engaged in reckless driving or exhibition of speed.

FISCAL SUMMARY

The CHP or local law enforcement is responsible for the cost of impounding vehicles. However, since this bill reinstates impound provisions that were in effect through December 31, 2006, this bill will not result in an increase in CHP costs above the cost of impounds during the 2005-06 fiscal year. The CHP reports that in 2005-06, its total cost for vehicle impounds was \$56,000.

COMMENTS

The Department of Finance is neutral on this bill because it provides law enforcement officials with a tool that has been effective in improving public safety. During the five-year period when law enforcement was authorized to impound vehicles when issuing reckless driver citations, the number of citations decreased by 15 percent.

Analyst/Principal (0744) K. Amann	Date	Program Budget Manager Mark Hill	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

D. Perata

Original

SB 67

ANALYSIS

A. Programmatic Analysis

Current law:

- Provides that a person who drives with willful disregard for public safety or property is guilty of reckless driving.
- Prohibits a person from engaging in a motor vehicle speed contest which includes a motor vehicle race against another motor vehicle, a clock, or other timing device.
- Provides that when a person is arrested for engaging in a speed contest, the officer may impound the vehicle for up to 30 days.

This bill would:

- Authorize a peace officer to impound a vehicle for up to 30 days when the person is engaged in reckless driving or exhibition of speed.
- Provide that the impounding agency shall release the vehicle if the registered owner of the vehicle was neither the driver nor a passenger of the vehicle at the time of the violation or a rental car company.

Discussion: This bill would reinstate provisions of Chapter 411, Statutes of 2002 that allowed law enforcement officers to impound a vehicle for up to 30 days when the driver is cited for reckless driving. This authority expired on January 1, 2007, because no legislation was introduced to extend or repeal the sunset date. During the five years the authority was in place, citations for violations covered by the bill decreased from 1,852 in 2002 to 1,566 in 2006.

B. Fiscal Analysis

The CHP or local law enforcement is responsible for the cost of impounding vehicles. However, since this bill reinstates impound provisions that were in effect through December 31, 2006, this bill will not result in an increase in CHP costs above the cost of impounds during the 2005-06 fiscal year. The CHP reports that in 2005-06, its total cost for vehicle impounds was \$56,000.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP	FC	2006-2007	FC	2007-2008	FC	2008-2009	
	RV	98	FC						
2720/CHP	SO	No		----- No/Minor Fiscal Impact -----					0044
<u>Fund Code</u>	<u>Title</u>								
0044	Motor Vehicle Account, STF								