

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: March 23, 2011
POSITION: Neutral

BILL NUMBER: SB 28
AUTHOR: J. Simitian

BILL SUMMARY: Vehicles: Electronic Wireless Communications Devices

This bill would: increase fines for driving while using a handheld cell phone or texting, apply the ban against texting to bicyclists, provide that driving while using a handheld cell phone or texting is a primary offense for drivers under 18 years of age, provide that a point shall be assigned to a driver's license for a second or subsequent conviction of driving while using a handheld wireless communications device to talk or text, and require that \$10 of each fine be deposited in a new fund to be used by the Office of Traffic Safety for education programs on the dangers of cell phone use and text messaging while driving. The bill also would require the Department of Motor Vehicles to add dangers of cell phone use and text messaging to the list of items that must be on an examination for a driver's license.

FISCAL SUMMARY

The Department of Motor Vehicles (DMV) estimates no costs because DMV already has a test question about distracted driving.

The bill would generate unknown revenue, which would be available for appropriation to the Office of Traffic Safety (OTS), for a grant program. It is anticipated that OTS costs of administration would also be appropriated from this funding source.

COMMENTS

Finance is neutral on the bill. The California Highway Patrol notes no significant difference between the number of traffic collisions related to wireless communications devices and other driving distractions, such as the use of car radios and compact disc players.

In January 2010, the Federal Motor Carrier Safety Administration instituted a ban against texting while driving commercial trucks, subject to a fine of up to \$2,750 for violation of the ban. Seven states have banned driving while talking on a hand-held cell phone, and text messaging is banned for all drivers in 24 states.

It is unknown how much revenue would result from dedicating \$10 of each fine for hand-held cell phone use or texting to a new fund. These revenues would be subject to future appropriations to OTS for a grant program. OTS has experience in managing grants for programs that promote state and local highway safety programs.

Analyst/Principal (0744) J. Gregg	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 _____

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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)

AUTHOR

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Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP							
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	
2740/DMV	SO	No		-----	No/Minor Fiscal Impact	-----			0044
2700/Traffic Safe	LA	No		-----	See Fiscal Summary	-----			0799
2700/Traffic Safe	SO	No		-----	No/Minor Fiscal Impact	-----			0799
5900/Other Recpt	RV	No			Unknown Revenues from Dedicated Fee				0799

<u>Fund Code</u>	<u>Title</u>
0044	Motor Vehicle Account, STF
0799	Pending New Non-Governmental Funds