

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 170 < 1st Edition >
SHORT TITLE: Renters Notified of School Bus Laws
SPONSOR(S): Senator Garrou, et al.

FISCAL IMPACT					
	Yes ()	No (X)	No Estimate Available ()		
	<u>FY 2001-02</u>	<u>FY 2002-03</u>	<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>
REVENUES					
EXPENDITURES					
POSITIONS:	0				
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	Dept. of Correction; Judicial Branch				
EFFECTIVE DATE:	Applies to offenses committed on or after December 1, 2001				

BILL SUMMARY:

Creates new GS 66-202A, which requires that rental car companies notify renters of school bus passing laws and collect signed documents from renters evidencing the notification. In addition, the bill provides that failure to keep these records is a Class 2 misdemeanor.

ASSUMPTIONS AND METHODOLOGY:

Judicial Branch

Since the requirements of this bill apply to rental car companies, and such business entities will by and large establish procedures to comply with the requirements, AOC and Fiscal Research do not predict a substantial impact on the courts.

In calendar year 2000, there were 1,165 defendants charged with violation of the stopped school bus requirements in G.S. 20-217. However, AOC data do not reveal the number of these charges that may have related to persons in rented cars, and they are not aware of any data that would offer an estimate of that number. Moreover, AOC is unaware of any data

that would provide an estimate of the number of violations by rental car companies that might occur or charges that might be brought with this bill.

Sentencing Commission

This bill covers conduct that is not a criminal offense currently; therefore, it is not known how many offenders might be sentenced under this bill. However, since the proposed bill would create a new Class 2 misdemeanor offense, it is not expected to have a significant impact on the prison population. Local jails, although, may be impacted.

While we cannot project the number of new jail inmates due to this bill, we do know that in FY 1999/2000, 11% of all Class 2 misdemeanor convictions resulted in active sentences. The average sentence length imposed was 24 days. Offenders serving active sentences of less than 90 days are housed in county jails.

TECHNICAL CONSIDERATIONS:

The bill is unclear as to whether a failure “to keep records required by this section” could be charged as a separate violation for each rental agreement from which the record of notification is missing.

FISCAL RESEARCH DIVISION 733-4910

PREPARED BY: Lisa Robinson
Elisa Wolper

APPROVED BY: James D. Johnson

DATE: March 12, 2001



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