

STATEMENT OF PURPOSE

RS22200

Over the last decade a number of cities began providing driver safety programming, offering the safety course for a fee in lieu of issuing a citation. A 2008 Attorney General opinion called this practice into question, because it does not follow uniform citation requirements and diverts funding from the statutory fine distribution formula. Following the opinion about half of the cities stopped the practice, but about ten others have continued it, taking the position that the programs provide a valuable safety review for drivers which in the long run reduces violations and collisions, and that they have authority to do conduct the programs despite the opinion.

This bill would formally allow such programs while addressing the concerns raised in the Attorney General's opinion. The bill allows a city to establish, by ordinance, a city sponsored driver safety program available to qualified drivers who receive a citation for a non-collision moving violation within city limits. In addition to paying the fixed penalty and court costs for the citation in lieu of appearing in court, the driver may voluntarily choose to complete the city offered safety course for a fee not to exceed \$25 and be relieved of the point count for the violation that would accompany the infraction conviction. The use of uniform citation would allow information to be tracked in the Court information system known as ISTARs.

This bill excludes commercial drivers and anyone who has received a point reduction in the past 3 years from receiving a point reduction. It limits such programs except as authorized under the provisions set forth in this bill.

FISCAL NOTE

There is no cost to the general fund. There would likely be a positive impact to the general fund due to increased fine distributions, which in part goes into the general fund. The cost of updating ISTARs would be approximately \$10,000 in one time expense from dedicated court funds, and approximately \$10,000 in one time expense to the Idaho Department of Transportation to update its information system, which cost would come from dedicated transportation funds.

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