

STATEMENT OF PURPOSE

RS25169C1

This bill changes the Idaho Motor Vehicle Law 49-654. It provides exception to the Basic Rule and Maximum Speed Limits while passing another vehicle in a 55 or higher MPH posted speed zone. Current law provides no exception or leniency of a speed above the posted speed limit during or immediately following a pass. This is a common occurrence on two lane roads. This exception is limited to highways divided by two lanes, with one lane of traffic in each direction while passing on the left. The amendment allows for a driver of a passenger car, motorcycle or pickup truck, not towing any other vehicle, additional 15 MPH during the pass and a return to the posted limit within a practicable distance. All other basic rules of safety while passing remain in force. The amendment is not applicable in construction zones.

FISCAL NOTE

The impact on the General Fund, dedicated funds, and local government can only be determined as minimal. There is no tracking identifier to differentiate speeding while passing, only excessive speed. Under subsection (1)(c) of I.C. § 19-4705, if the citation is issued by an officer, other than a city police officer, the a fixed penalty of \$33.50 or \$98.50 would be distributed as follows: 10% to the state Treasurer, who deposits 86% of that amount in the state General Fund and 14% in the Peace Officer Standards and Training (POST) fund, 45% to the highway distribution account, 22 ½% to the district court fund, and 22 ½% to the public school income fund. Citations issued by city law enforcement would be distributed as: 10% to the state Treasurer, who deposits 86% of that amount in the state General Fund and 14% in the Peace Officer Standards and Training (POST) fund, and 90% to the city. Fines for citations will be dependent upon severity of the infraction, and thus will vary in their impact to the General Fund." All infractions outside of a city also include a portion of each fine as follows: Court Costs \$16.50, county justice fund \$10, POST \$15, court technology fund fee \$10 and emergency surcharge fee \$10.

Contact:

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).