



Senate

General Assembly

File No. 139

February Session, 2006

Senate Bill No. 537

Senate, March 27, 2006

The Committee on Planning and Development reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING REMISSION TO MUNICIPALITIES OF A SURCHARGE FOR CERTAIN MOTOR VEHICLE VIOLATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-56a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2006*):

3 (a) Each clerk of the Supreme Court and Superior Court shall
4 account for and pay or deposit all fees, fines, forfeitures and the
5 proceeds of judgments of [his] such office in the manner provided by
6 section 4-32. If any such clerk fails to so account and pay or deposit,
7 such failure shall be reported by the Treasurer to the Chief Court
8 Administrator who may thereupon remove the clerk. When any such
9 clerk dies before so accounting and paying or depositing, the Treasurer
10 shall require the executor of [his] the will or administrator of [his] the
11 estate to so account. If any such clerk is removed from office, the
12 Treasurer shall require [him] the clerk to account for any money of the
13 state remaining in [his] the hands of such clerk at the time of such
14 removal and, if [he] the clerk neglects to so account, the Treasurer shall

15 certify the neglect to the Chief Court Administrator.

16 (b) The state shall remit to the municipalities in which the violations
17 occurred all amounts received in respect to the violation of sections 14-
18 251, 14-252, 14-253a and 14-305 to 14-308, inclusive, or any regulation
19 adopted thereunder or ordinance [made] enacted in accordance
20 therewith. Each clerk of the Superior Court or the Chief Court
21 Administrator, or any other official of the Superior Court designated
22 by the Chief Court Administrator, shall, on or before the thirtieth day
23 of January, April, July and October in each year, certify to the
24 Comptroller the amount due for the previous quarter under this
25 subsection to each municipality served by [his] the office of the clerk or
26 official, provided prior to the institution of court proceedings, a city,
27 town or borough shall have the authority to collect and retain all
28 proceeds from parking violations committed within the jurisdiction of
29 such city, town or borough.

30 (c) For the purpose of providing additional funds for municipal and
31 state police training, each person who pays in any sum as (1) a fine or
32 forfeiture for any violation of section 14-12, as amended, 14-215, as
33 amended, 14-219, 14-222, 14-224, 14-225, 14-227a, as amended, 14-266,
34 14-267a, 14-269 or 14-283, as amended, or (2) a fine or forfeiture for any
35 infraction, shall pay an additional fee of one dollar for each eight
36 dollars or fraction thereof of the amount [he] such person is required to
37 pay, except if such payment is made for violation of such a section
38 which is deemed to be an infraction, such additional fee shall be only
39 on the first eighty-eight dollars of such fine or forfeiture. Such
40 additional fee charged shall be deposited in the General Fund.

41 (d) Each person who pays in any sum as a fine or forfeiture for any
42 violation of sections 14-218a, 14-219, 14-222, 14-223, 14-227a, as
43 amended, sections 14-230 to 14-240, inclusive, as amended, sections 14-
44 241 to 14-249, inclusive, as amended, section 14-279 for the first
45 offense, sections 14-289b, 14-299, 14-301 to 14-303, inclusive, or any
46 regulation adopted under said sections or ordinance enacted in
47 accordance with said sections shall pay an additional fee of ten dollars.

48 The state shall remit to the municipalities in which the violations
49 occurred the amounts paid under this subsection. Each clerk of the
50 Superior Court or the Chief Court Administrator, or any other official
51 of the Superior Court designated by the Chief Court Administrator, on
52 or before the thirtieth day of January, April, July and October in each
53 year, shall certify to the Comptroller the amount due for the previous
54 quarter under this subsection to each municipality served by the office
55 of the clerk or official.

| | | |
|---|--------------|--------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | July 1, 2006 | 51-56a |

PD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 06 \$ | FY 07 \$ | FY 08 \$ |
|-----------------|---|----------------------|-----------|-----------|
| Judicial Dept. | GF - Cost | Less than 100,000 | None | None |
| Judicial Dept. | Gen Fund; Transp Fund; Criminal Injuries Comp Fund - Revenue Loss | None | Potential | Potential |

Note: GF=General Fund

Municipal Impact:

| Municipalities | Effect | FY 06 \$ | FY 07 \$ | FY 08 \$ |
|---------------------------|--------------|----------|------------------------|-------------|
| Various Municipalities | Revenue Gain | None | 1.5 million or less | 1.5 million |

Explanation

The bill establishes a new surcharge of ten dollars on certain motor vehicle violations and provides that any revenues collected from it are to be forwarded to the municipalities in which the violations occurred. It is estimated that \$1.5 million in revenues would be generated annually under the bill's surcharge and distributed to various municipalities.

The Judicial Department would initially incur a minimal cost (i.e., less than \$50,000) to modify its computer and accounting systems in order to remit payments to municipalities in accordance with the bill. The ongoing processing of these remittances could be accommodated by the Judicial Department within budgeted resources. Each year the Centralized Infraction Bureau of the Judicial Department prints and distributes copies of the mail-in violations and infractions schedule as of October 1st, when statutory changes are typically effective.

However, as the effective date of the bill is July 1, 2006, the Judicial Department would need to print and distribute an additional version of this document and thereby incur a one-time cost that is estimated to be less than \$50,000. Any initial delay in the implementation of the new surcharge could mean that FY 07 municipal revenues are less than the estimated annual amount of \$1.5 million.

The magnitude of the bill's surcharge is not expected to increase substantially the number of tickets that are contested such that additional resources would be needed by either the courts or state's attorneys. However, any increase in contested tickets under the bill would likely raise the number of violations that are not prosecuted or have the fines reduced. This would decrease revenues to the General Fund, Transportation Fund and the Criminal Injuries Fund, into which the existing fines, fees and surcharges are deposited.

The Out Years

Future revenues generated from motor vehicle violations are not subject to inflation since the fine amounts are fixed by statute. Absent any sustained trend in the number of citations issued or other statutory changes, the annualized municipal revenues indicated in FY 08 above are projected to remain stable into the future.

OLR Bill Analysis
SB 537***AN ACT CONCERNING REMISSION TO MUNICIPALITIES OF A SURCHARGE FOR CERTAIN MOTOR VEHICLE VIOLATIONS.*****SUMMARY:**

This bill adds a \$10 surcharge on specified motor vehicle violations and requires the state to remit the revenue to the municipalities where the violations occurred. The surcharge applies to anyone who pays a fine or forfeiture for any of 35 motor vehicle violations, including: (1) speeding, (2) reckless driving, (3) driving under the influence, (4) making an illegal turn, (5) failing to yield right of way, (6) failing to stop for a school bus (for a first offense), and (7) failing to stop at a stop sign. The surcharge also applies to anyone who pays a fine or forfeiture under any ordinance enacted in accordance with these laws. The bill requires the Superior Court clerk or the chief court administrator (or his designee) to certify to the comptroller the amount due for the previous quarter to each municipality. The certifications must be made by January 30, April 30, July 30, and October 30, of each year.

EFFECTIVE DATE: July 1, 2006

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 16 Nay 0 (03/13/2006)