

BILL SUMMARY
1st Session of the 57th Legislature

Bill No.:	HB 2453
Version:	CS
Request Number:	7995
Author:	Rep. Dunnington
Date:	2/19/2019
Impact:	Establishes misdemeanors and a felony as well as associated fines/imprisonment

Research Analysis

The Committee Substitute to HB 2453 clarifies the manner by which motor vehicles may overtake and pass cyclists. The measure provides directives dependent on the number of lanes. The measure creates a tiered punishment for violations. Upon a first conviction, the offender is subject to a fine of not more than \$100. Any second or subsequent conviction is punishable by up to 30 days in the county jail, a fine of not less than \$150 nor more than \$500 or both fine and imprisonment. If a collision occurs, the punishment is imprisonment in the county jail for up to 6 months, a fine of up to \$1,000 or both fine and imprisonment. If great bodily injury occurs, the punishment is up to 1 year in the county jail, a fine of not more than \$3,000 or both fine and imprisonment. The punishment is increased to a felony if the violation results in the death of an individual, punishable by imprisonment with the Department of Corrections for up to 3 years, a fine of not more than \$5,000 or both fine and imprisonment.

Prepared By: Brad Wolgamott

Fiscal Analysis

The CS on HB 2453 establishes misdemeanors and a felony as well as fines and possible imprisonment in DOC custody. The actual impact is contingent upon how many individuals are found guilty of the crime, and the amount of the fine and/or the length of their sentence they are required to pay/serve. Currently it costs an average of \$58.70/day or \$21,425.50 a year to incarcerate an individual in DOC custody.

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Other Considerations

None.