

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 1174 (1st Edition)

SHORT TITLE: Safe Transportation for School Students

SPONSOR(S): Rep. Creech

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>	<u>FY 2006-07</u>	<u>FY 2007-08</u>
REVENUES					
EXPENDITURES	2,442,230	1,286,049	1,328,780	1,328,780	1,328,780
Highway Fund					
POSITIONS: (cumulative)	24	24	24	24	24
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Department of Crime Control and Public Safety; State Highway Patrol					
EFFECTIVE DATE: Act becomes effective when it becomes law.					

BILL SUMMARY: To ensure the safest transportation possible for North Carolina public school students involved in school-sponsored travel. Adds new GS 115C-247.1 requiring the Department of Crime Control and Public Safety to establish system of certifying privately owned motor coach companies that seek to contract with local school systems for student and staff transportation. Specifies the requirements for certification process. Specifies that federal funds provided for this purpose may be used.

ASSUMPTIONS AND METHODOLOGY: There are 2,202 public and charter schools with a total enrollment of 1,282,576 students in North Carolina. Currently, there are 370 motor coach carrier companies operating in the state with 7,646 registered motor coaches.

HB 1174 will require the Department of Crime Control and Public Safety to develop and implement a system to certify privately owned motor coach companies that seek to contract with local school systems to provide transportation for school-sponsored trips. Currently, the State Highway Patrol administers the Motor Carrier Safety Assistance Program (MSCAP). MSCAP is a federally funded program that provides financial assistance to states to reduce the number and severity of accidents and hazardous material incidents involving commercial motor vehicles and motor coaches. The program is operated under

federal statutes and regulations and receives \$4.5 million in federal grant funds annually. However, Department staff have been advised by the Federal Motor Carrier Safety Administration that federal MSCAP funds cannot be used to develop, implement, or administer a state sponsored certification program. Therefore, all costs associated with the state motor coach certification program must be supported by Highway Fund appropriations.

The Highway Patrol estimates that it would need 24 additional positions in its Motor Carrier Enforcement Section, three (3) officers per troop, to implement a certification program. In addition to salary and benefits, there are equipment, supplies and vehicle costs for a total first-year cost of \$97,760 per position. There are also lodging, per diem, textbook, and other costs for the 10-month training period during the first year. These training costs are approximately \$4,000 per officer. In subsequent years, the estimated annual personnel, equipment, and supply cost per position ranges from \$53,585 to \$55,356

SOURCES OF DATA: Department of Crime Control and Public Safety, State Highway Patrol Division

TECHNICAL CONSIDERATIONS: Department staff noted the following technical issues related to interpreting and implementing provisions of the proposed bill:

1. The bill states that the Department may use “federal funds currently provided for this purpose.” However, the State Highway Patrol has been advised that federal funds cannot be used to support a state certification program.
2. Although the bill would become effective when it is enacted, the Highway Patrol would need eight (8) months to recruit and train 24 new officers in the Basic Law Enforcement Training required for all sworn officers, including Motor Carrier Enforcement officers. In addition, another 10 weeks would be needed to provide advanced, specialized training related to motor carrier enforcement and motor coach certification. Therefore, it would be over 10 months past the enactment date before qualified, fully trained staff would be available to certify motor coaches.

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DATE: May 1, 2003



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