



**150th GENERAL ASSEMBLY
FISCAL NOTE**

BILL: SENATE BILL NO. 131
SPONSOR: Senator Brown
DESCRIPTION: AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT OF VEHICLES AND LOADS.

Assumptions:

1. This Act becomes effective upon the signature of the Governor.
2. This Act provides for the following:
 - a. Authorizes the State, counties, and municipalities to install and use vehicle height monitoring systems to assist in the enforcement of applicable State, county, or municipal law regarding motor vehicle size;
 - b. Establishes requirements for the Department of Transportation (DeIDOT) to conduct initial identification of potential locations for vehicle height monitoring systems and analysis of the appropriateness of each location;
 - c. Establishes requirements for the Department of Safety and Homeland Security (DSHS) to approve and install vehicle height monitoring systems on State maintained roads;
 - d. Establishes that a county or municipality must adopt an ordinance before approving or installing a vehicle height monitoring system on roads maintained by the county or municipality;
 - e. Establishes requirements and maintenance of vehicle height monitoring system, including the designation of a vehicle height monitoring system technician to maintain a daily set-up log for each vehicle height monitoring system in use which may be admitted as evidence in any court proceeding for a violation captured by a vehicle height monitoring system;
 - f. Establishes that the owner of a motor vehicle captured by a vehicle height monitoring system is liable for the violation and subject to civil penalties for second, and subsequent violations;
 - g. Establishes that the State, county, or municipality may designate a contractor to administer and process citations but may not charge a fee based on the number of citations issued or paid.
3. This Act tasks DSHS with the selection of a vendor for use by the State, counties, and municipalities through an open-competitive procurement process for the installation of a vehicle height monitoring system on State maintained roads. There are a number of cost factors such as the cost for storage space for the maintenance of picture files, space, technology, equipment, and personnel that would need to be considered. Since many of these costs will not be known until the procurement process has been completed, the costs for this Act are indeterminable at this time. DSHS does not currently have an appropriation or available discretionary funding for vehicle height monitoring systems.

4. It is assumed that a county or municipality who wishes to install and use vehicle height monitoring systems to assist in the enforcement of applicable State, county, or municipal law regarding motor vehicle size would be responsible for securing its own funding for the purchase, installation, maintenance, and enforcement.

Cost:

Fiscal Year 2020: Indeterminable

Fiscal Year 2021: Indeterminable

Fiscal Year 2022: Indeterminable

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