

Local Government Mandate Statement
Kentucky Legislative Research Commission
2020 Regular Session

Part I: Measure Information

Bill Request #: 186

Bill #: HB 253 HCS 1

Document ID #: 5066

Bill Subject/Title: AN ACT relating to the investigation of traffic accidents.

Sponsor: Representative Daniel B. Elliott

Unit of Government: City County Urban-County
 Charter County Consolidated Local Unified Local
 Government

Office(s) Impacted: Local Law Enforcement

Requirement: Mandatory Optional

Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

Section 1 of HB 253 HCS 1 creates a new section of KRS Chapter 189 to require local law enforcement agencies having jurisdiction to investigate all traffic accidents involving a fatality and that occur on state-maintained highways. If the local law enforcement agency does not have an accident reconstruction unit or similar expertise or have a working relationship with another law enforcement agency to perform those investigations, the Kentucky State Police (KSP) shall perform the investigation. KRS 16.065 is also amended to conform.

According to the Kentucky State Police, there were 683 fatal collisions resulting in 749 traffic fatalities in 2019. Eighty-six percent of these occurred on state-maintained roadways.

The Kentucky Law Enforcement Council (KLEC) informed the KSP that there are 445 active law enforcement agencies in Kentucky and relatively few have accident reconstruction units or those capabilities.

The Kentucky Sheriffs Association, also indicated that most local law enforcement agencies do not have this expertise and would welcome and rely upon KSP to complete any required traffic accident reconstruction.

This fiscal impact of this bill on local law enforcement agencies is not determinable and is expected to be minimal. Cost impacts to city or county law enforcement agencies would be associated with time spent securing the scene and waiting on the KSP team to arrive.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The fiscal impact of HB 253 HCS 1 on local law enforcement remains the same as the initial impact statement on HB 253 as introduced.

HCS 1 adds the language regarding a local law enforcement agency having a working relationship with another law enforcement agency to perform traffic fatality investigations.

Data Source(s): Kentucky Sheriffs Association, Kentucky State Police, Kentucky Law Enforcement Council, LRC Staff

Preparer: Mark Offerman **Reviewer:** KHC **Date:** 2/20/20