



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: SB0471.01: Generally revise vehicular traffic laws related to pedestrian crossings

Primary Sponsor: Dave Fern

Status: As Introduced

☐ Included in the Executive Budget

☐ Needs to be included in HB 2

☒ Significant Local Gov Impact

☐ Significant Long-Term Impacts

☒ Technical Concerns

☐ Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>	<u>FY 2028</u> <u>Difference</u>	<u>FY 2029</u> <u>Difference</u>
<b>Expenditures</b>				
State Special Revenue (02)	\$390,000	\$0	\$0	\$0
<b>Revenues</b>				
State Special Revenue (02)	\$0	\$0	\$0	\$0
<b>Net Impact</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>General Fund Balance</b>				

### Description of fiscal impact

SB 471 revises vehicular traffic laws related to pedestrian crossings and would require the Montana Department of Transportation (MDT) to remove multiple pedestrian actuated device crossings.

### FISCAL ANALYSIS

#### Assumptions

##### Department of Justice

1. The Montana Highway Patrol (MHP) wrote 15 citations in calendar year 2024 for 61-8-502 (1), MCA. The minimum fine amount changes from \$85 to \$100.
2. MHP wrote one citation in calendar year 2024 for 61-8-502 (3), MCA. The minimum fine amount changes from \$85 to \$500.
3. Any revenue received due to citations written by MHP is split between the general fund and the county in which the citation was written.
4. SB 471 could cause an increase in revenue which is divided 50-50 between the general fund and the county in which the citation was written but impact would be minimal.

##### Department of Transportation

5. SB 471 adds language about the endangerment of pedestrians when crossing at a pedestrian actuated device that has been activated.
6. SB 471 defines a pedestrian actuated device as, but not limited to, rectangular rapid flashing beacons, warning beacons, and in-roadway lights.
7. SB 471 as written would require MDT to remove pedestrian actuated devices due to a conflict with the Manual on Uniform Traffic Control Devices (MUTCD).
8. MDT is required to follow MUTCD per 61-8-202, MCA and 23 CFR 655.603.
9. MDT estimates that there are 62 MDT sites that would be impacted by this bill and would need to be removed.

Type of traffic control device	Removal Cost/Device	Number of Devices
One lane Rectangular Rapid Flashing Beacon (RRFB)	\$ 3,000	4
Two lane RRFB	\$ 3,500	28
Three lane RRFB	\$ 4,000	11
Four lane RRFB	\$ 5,500	9
Five lane RRFB	\$ 6,500	4
Pedestrian Hybrid Beacon	\$ 26,750	6

10. MDT assumes all changes would be completed within FY 2026 and would not be eligible for federal funding.
11. MDT assumes there are additional local government sites that would also be impacted by SB 471 changes but cannot estimate the cost for local governments.

## Fiscal Analysis Table

Department of Transportation				
	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>	<u>FY 2028</u> <u>Difference</u>	<u>FY 2029</u> <u>Difference</u>
<b><u>Fiscal Impact</u></b>				
<b><u>Expenditures</u></b>				
Operating Expenses	\$390,000	\$0	\$0	\$0
<b>TOTAL Expenditures</b>	<b>\$390,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Funding of Expenditures</u></b>				
State Special Revenue (02)	\$390,000	\$0	\$0	\$0
<b>TOTAL Funding of Expenditures</b>	<b>\$390,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Revenues</u></b>				
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u></b>				
State Special Revenue (02)	(\$390,000)	\$0	\$0	\$0

## Effect on County or Other Local Revenues or Expenditures

## Department of Transportation

1. Municipalities such as Missoula, Kalispell, Helena, Billings, and Bozeman among others will be impacted due to required upgrades.

## Technical Concerns

## Department of Transportation

1. SB 471 conflicts with the Manual on Uniform Traffic Control Devices (MUTCD) with regards to other yellow flashing traffic control devices.
2. MDT is required to follow MUTCD per 61-8-202, MCA, and 23 CFR 655.603

NO SPONSOR SIGNATURE

3/3

3/3/2025

Sponsor's Initials

Date

Budget Director's Initials

Date

