

# Fiscal Note

**BILL #** HB 2235

**TITLE:** signs; lane use; civil penalty

**SPONSOR:** Martinez

**STATUS:** As Amended by House TI

**PREPARED BY:** Jordan Johnston

## Description

The bill would require the Arizona Department of Transportation (ADOT) and local authorities to place advisory signs on highways with 2 lanes in the same direction to direct slower traffic to keep right and issue a \$500 fine for those in violation of this rule.

## Estimated Impact

We estimate this bill would cost \$144,000 in one-time installation costs and \$14,400 in ongoing annual maintenance costs from the State Highway Fund. This estimate is based on committee testimony that ADOT would install signs along about 600 miles of interstate. Ultimately, the actual cost of the bill will depend on the number of signs and applicable freeways determined by ADOT.

Additionally, the bill may generate more revenue to the courts depending on the number of individuals law enforcement cites in violation of this civil traffic law. This impact cannot be determined in advance.

We have requested ADOT's estimated impact of this legislation and are awaiting their response.

## Analysis

A.R.S. § 28-721 requires motorists on Arizona roadways to drive on the right lane when driving slower than the normal speed of traffic. The bill would require ADOT and local authorities to place signs on highways with 2 lanes traveling in the same direction that state the following, "left lane for passing only, slow traffic keep right." The bill further establishes a \$500 penalty for those in violation of this traffic rule. The bill states that the new signs must include language, or be accompanied by a smaller sign, that reads "\$500 fine" for those in violation of this rule.

According to committee testimony, ADOT's interpretation of this legislation would lead them to install signs on stretches of 2-lane highways on Interstate 8, Interstate 10, Interstate 15, Interstate 17, Interstate 19, and Interstate 40. These stretches of highway with 2 lanes in the same direction total about 600 route miles. Based on data provided by ADOT in 2018 for similar legislation, we estimate that the design, manufacturing, and installation cost per sign would be \$3,000.

ADOT policy will ultimately determine the number of signs to be placed. If ADOT installed a pair of signs (one sign for each direction) for every 25 miles per route, the total number of signs to be installed would be 48, for a total installation cost of \$144,000. Based on the information provided in 2018, ADOT projects replacing each individual sign once every 10 years due to deterioration, which would result in an annual maintenance cost of \$14,400 for the replacement of about 5 signs per year.

As previously mentioned, the bill establishes a \$500 fine for motorists in violation of the law that slow traffic must stay to the right. The bill may generate revenue to the courts depending on the number of individuals that receive a citation from law enforcement.



**Local Government Impact**

Local governments may incur costs from the bill depending on their responsibilities to maintain highways (including sign installation/maintenance) within the state. We do not have sufficient information to determine how many route miles maintained by local governments would be subject to the bill's provisions. In addition, municipal and county courts may generate revenue pursuant to this bill depending on the number of fines issued by law enforcement to enforce the direction of slower traffic to travel in the right lane.

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