

**Government of the District of Columbia
Office of the Chief Financial Officer**



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: September 10, 2010

SUBJECT: Fiscal Impact Statement – “Automated Traffic Enforcement Fund
Emergency Amendment Act of 2010”

REFERENCE: Draft Legislation—No Bill Number Available

Conclusion

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation would amend Title IX of the Fiscal Year 1997 Budget Support Act of 1996¹ to: 1) establish the Automated Traffic Enforcement Fund (“Fund”), effective as of April 9, 1997; and 2) authorize an amount up to \$9 million to be reprogrammed from the Metropolitan Police Department (MPD) Special Purpose Revenue operating budget to the Pay-Go Capital Budget within MPD to support future automated traffic initiatives, as of the effective date of the Act.

The Fund would be a lapsing fund² into which monies to be used exclusively for the administration of the automated traffic enforcement system (“system”) would be deposited, and as such, authorized expenditures from the Fund would only include those directly related to the system, such as vendor payments, salaries of MPD members involved in the administration of the system, and fleet acquisition and operation. The Fund would be financed through fines and fees received as a result of the system, as well as any other monies that may be appropriated.

¹ Effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 *et seq.*).

² Revenue deposited into the Fund would be continually available during the fiscal year for the specified uses, but on September 30 of each fiscal year any remaining monies would revert to the General Fund.

A number of pieces of emergency legislation creating such a Fund had been enacted previously, but the last one expired in April 2005.³ No permanent legislation has ever been passed. Unaware of this situation, MPD has continued to pay for expenditures directly related to the automated traffic enforcement system with the system's revenues. This bill would once again make this *de facto* process *de jure*.

Financial Plan Impact

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation. There would be no fiscal impact: there would be no cost to create an Automated Traffic Enforcement Fund; revenue from the automated traffic enforcement system is already being used to pay for the system's expenditures; and no reprogramming would occur unless the funds were available.

³ Automated Traffic Enforcement Fund Emergency Amendment Act of 2002, enacted July 17, 2002 (D.C. Act 14-422); Automated Traffic Enforcement Fund Emergency Amendment Act of 2003, enacted October 24, 2003 (D.C. Act 15-189); Bill 15-1062 Automated Traffic Enforcement Fund Emergency Amendment Act of 2004, enacted November 1, 2004 (D.C. Act 15-590); and Bill 16-0001 Automated Traffic Enforcement Fund Congressional Review Emergency Amendment Act of 2005, enacted January 19, 2005 (D.C. Act 16-1).