

FISCAL IMPACT REPORT

General Information:

(Check) **Bill:** x **Resolution:** _____

Short Title(s): Defining Aggressive Driving and Establishing Penalties

Sponsor(s): Councilor Pilar Faulkner, Councilor Amanda Chavez, and Councilor Lee Garcia

Reviewing Department(s): Finance Department, City Attorney’s Office, Police Department, Fire Department

Staff Completing FIR: Ben Valdez, Deputy Chief of Police

Date: 4/16/2026 **Phone:** (505) 955-5040

Reviewed by City Attorney: *Marcos D. Martinez* **Date:** 04/24/2026
Marcos D. Martinez (Apr 24, 2026 14:48:05 MDT)

Reviewed by Finance Director: *Andrea Phillips* **Date:** 04/24/2026
ANDREA PHILLIPS (Apr 24, 2026 14:50:43 MDT)

Summary:

The adoption of this bill would create a new subsection of Article VI of the Uniform Traffic Ordinance (“UTO”), Exhibit A of Chapter 24 of SFCC 1987 to define, criminalize, and penalize “aggressive driving”. It specifies that every person convicted of aggressive driving shall be required to comply with a mandatory court appearance and be punished as follows:

- 1) Upon a first conviction by fine of two hundred and fifty dollars (\$250);
- 2) Upon a second conviction, by imprisonment for seven days, and by a fine of five hundred dollars (\$500);
- 3) Upon a third conviction, by imprisonment for fourteen days and a fine of five hundred dollars (\$500);
- 4) Upon subsequent convictions, imprisonment for ninety days and a fine of five hundred dollars (\$500).

The bill includes a provision specifying that the court shall permit people who are convicted of aggressive driving and who are determined to be indigent to perform community service in lieu of payment of fines; however, this does not prevent the court from sentencing the person to jail, if applicable.

Additionally, the bill amends Article VI of the UTO, Subsection 12-6-12.3, SFCC 1987, “Reckless Driving,” to accomplish the following changes to the reckless driving fines:

- 1) Eliminates the concept of minimum penalties;
- 2) Upon first conviction, raises the maximum penalty from twenty-five dollars (\$25) to two hundred and fifty dollars (\$250);
- 3) Upon second conviction, raises the maximum penalty from three hundred dollars (\$300) to five hundred dollars (\$500).

Lastly, the bill creates a section in the UTO called the “Police and Fire Resiliency Funds”. Upon adoption of the ordinance, and in compliance with Section 2-2.4, SFCC 1987, all fines collected for violations of the UTO, Schedule A, for aggressive driving, and for reckless driving shall be allocated fifty percent (50%) to the Law Enforcement Fund and fifty (50%) to the Fire Support Services Fund, with the exception of fines

collected for speeding (which are allocated toward the Traffic Calming Program).

Departments Affected:

City of Santa Fe's Police Department, Fire Department, and Finance Department

Consequences of Not Enacting Legislation:

If this legislation is not adopted, aggressive driving will not be defined as a punishable offense in the City of Santa Fe's Municipal Code, nor will the fines for reckless driving, aggressive driving, and all fines listed on Schedule A of the UTO be allocated to the Law Enforcement Fund and the Fire Services Support Fund.

Performance and Administrative Implications:

The Police Department will maintain statistics for the number of violations for aggressive driving when a citation is issued, including the underlying offenses that make the incident rise to the level of aggressive driving. The statistics will be presented annually in the Traffic Unit's portion of the Police Department's Annual Report. The Police Department will also conduct enforcement and education to improve the safety of our roads to make drivers aware of the consequences of aggressive driving.

Fiscal Implications:

***The fees generated from the UTO's Schedule A in fiscal year 2025 totaled approximately \$124,000. If we continue this trend, we can anticipate a similar collection rate in funds from Schedule A, absent any significant changes. With the implementation of the Ordinance, the City may see a small increase in revenue associated with aggressive driving violations. On a fund level, the General Fund would see a small decrease in revenue due to the reallocation of fine revenue to the Law Enforcement and Fire Support Services Funds, both of which would see a positive impact respectively due to the collection of fees from Schedule A, fees from reckless driving, as well as fees collected from aggressive driving fines.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
<u>Personnel and Benefits*</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Capital Outlay</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Contractual/</u>	\$ _____	\$ _____	\$ _____		_____	_____	
<u>Professional Services</u>							
<u>Operating</u>	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
<u>Total:</u>	\$ _____	\$ _____	\$ _____				\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____		

Revenue Narrative:

***See "Fiscal Implications" narrative above.

Signature:

Email:

Signature:

Email: