

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2867-01
Bill No.: HB 1080
Subject: Law Enforcement Officers and Agencies; Driver's Licenses; Roads and Highways
Type: Original
Date: February 9, 2004

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2005 | FY 2006 | FY 2007 |
| | | | |
| | | | |
| Total Estimated Net Effect on General Revenue Fund | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|---------------------------------------|---------------------------------------|---------------------------------------|
| FUND AFFECTED | FY 2005 | FY 2006 | FY 2007 |
| Highway | (\$1,593) | \$53,102 | \$50,494 |
| Motorcycle Safety Trust | \$1,805,500 to \$4,351,250 | \$2,166,600 to \$5,221,500 | \$2,166,600 to \$5,221,500 |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$1,803,907 to \$4,349,657 | \$2,219,702 to \$5,274,602 | \$2,217,094 to \$5,271,994 |

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2005 | FY 2006 | FY 2007 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|-------------------------------------|-----------------|-----------------|-----------------|
| FUND AFFECTED | FY 2005 | FY 2006 | FY 2007 |
| Local Government | \$47,445 | \$56,935 | \$56,935 |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety – Missouri State Highway Patrol** and the **Office of State Public Defender** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator (CTS)** assume, because of the increased penalties, some cases may become protracted. CTS would not expect the total number of cases to be great enough to impact the budget of the judiciary.

In response to an identical proposal from a previous session, officials from the **Office of Prosecution Services** assumed the proposed legislation would have no fiscal impact on prosecutors.

Officials from the **Department of Transportation (MoDOT)** assume, based on 2002 traffic crash statistics provided by the Missouri State Highway Patrol, there were 130 fatal crashes and 10,183 injury crashes where the driver failed to yield the right-of-way.

ASSUMPTION (continued)

Based on the 2002 statistics, the positive fiscal impact for fatal crashes where the drivers were cited for failure to yield would have been \$130,000 (130 fatal crashes x \$1,000). The \$1,000 would be the maximum surcharge. MoDOT assumes the court has discretion of assessing a lower surcharge.

Based on the 2002 statistics, the minimum positive fiscal impact for injury crashes where the drivers were cited for failure to yield would have been \$2,036,600 (10,183 injury crashes x \$200 surcharge) and the maximum positive fiscal impact would have been \$5,091,500 (10,183 injury crashes x \$500 surcharge). The \$200 surcharge would be applied to physical injuries and the \$500 surcharge would be applied to "serious" physical injuries. There was no way to identify whether the injuries were "serious," therefore the minimum and maximum fiscal impact was used.

MoDOT estimated the total positive impact to be from \$2,166,600 (\$130,000 increase for fatal crashes + \$2,036,600 increase for injury crashes) to \$5,221,500 (\$130,000 increase for fatal crashes + \$5,091,500 increase for "serious" injury crashes).

Officials from the **Department of Revenue (DOR)** assume the proposal creates a thirty-day court ordered driver license suspension for a person who has caused physical injury by failing to yield right-of-way or careless and imprudent driving in a posted area of construction or major maintenance. The proposal also creates a ninety-day court ordered driver license suspension for a person who has caused serious physical injury by failing to yield right-of-way or careless and imprudent driving in a posted area of construction or major maintenance. In addition, the proposal creates a six-month court ordered driver license suspension for a person who has caused a fatality by failing to yield right-of-way or careless and imprudent driving in a posted area of construction or major maintenance. Each of these actions would require systems programming to the Missouri Driver License System (MODL) and additional resources for processing the documents.

The DOR's Division of Motor Vehicle and Drivers Licensing assumes the proposal will require program modifications to be made to the MODL driver licensing system in order to create three new suspension types, modify the suspension update program, create three new notices of loss, and create new action entry and inquiry screens. These program modifications will also require testing before implementation. The estimated cost is \$22,080 in overtime and \$5,040 testing cost.

ASSUMPTION (continued)

The DOR's Driver and Vehicle Services Bureau (DVSB) assumes the legislation will produce an estimated 13,972 court ordered suspensions per year (based on figures obtained from the Missouri State Highway Patrol). These suspensions will create the need for 3 FTE Revenue Licensing Technicians I (each at \$21,792 per year).

The DVSB will incur forms cost of \$546 due to producing notice of suspensions, reinstatement letters, and responding to correspondence, envelope costs of \$1,130, and a postage cost of \$10,454 for FY 05.

Finally, the DOR assumes a \$20 reinstatement fee will be assessed on these suspensions, resulting in an estimated increase in revenues of \$189,781 for FY 05 and \$227,740 for FY 06 and FY 07. This revenue will impact the Highway Fund, Counties, and Cities.

| <u>FISCAL IMPACT - State Government</u> | FY 2005 (10 Mo.) | FY 2006 | FY 2007 |
|--|-------------------------|------------------------|------------------------|
| HIGHWAY FUNDS | | | |
| <u>Revenues</u> – Department of Revenue | | | |
| Reinstatement fee | \$142,336 | \$170,805 | \$170,805 |
| <u>Costs</u> – Department of Revenue | | | |
| Personal Service (3 FTE) | (\$55,842) | (\$68,686) | (\$70,403) |
| Fringe Benefits | (\$23,119) | (\$28,436) | (\$29,147) |
| Equipment and Expense | <u>(\$64,968)</u> | <u>(\$20,581)</u> | <u>(\$20,761)</u> |
| <u>Total Costs</u> – Department of Revenue | (\$143,929) | (\$117,703) | (\$120,311) |
| ESTIMATED NET EFFECT ON HIGHWAY FUNDS | <u>(\$1,593)</u> | <u>\$53,102</u> | <u>\$50,494</u> |

**MOTORCYCLE SAFETY TRUST
 FUND**

Revenues – Department of Transportation
 Surcharges

| | | |
|--------------------|--------------------|--------------------|
| \$1,805,500 to | \$2,166,600 to | \$2,166,600 to |
| <u>\$4,351,250</u> | <u>\$5,221,500</u> | <u>\$5,221,500</u> |

**ESTIMATED NET EFFECT ON
 MOTORCYCLE SAFETY TRUST
 FUND**

| | | |
|-----------------------|-----------------------|-----------------------|
| <u>\$1,805,500 to</u> | <u>\$2,166,600 to</u> | <u>\$2,166,600 to</u> |
| <u>\$4,351,250</u> | <u>\$5,221,500</u> | <u>\$5,221,500</u> |

FISCAL IMPACT - Local Government

FY 2005
 (10 Mo.)

FY 2006

FY 2007

POLITICAL SUBDIVISIONS

Revenues – Counties
 Reinstatement fees

| | | |
|----------|----------|----------|
| \$28,467 | \$34,161 | \$34,161 |
|----------|----------|----------|

Revenues – Cities
 Reinstatement fees

| | | |
|-----------------|-----------------|-----------------|
| <u>\$18,978</u> | <u>\$22,774</u> | <u>\$22,774</u> |
|-----------------|-----------------|-----------------|

**ESTIMATED NET EFFECT ON
 POLITICAL SUBDIVISIONS**

| | | |
|-----------------|-----------------|-----------------|
| <u>\$47,445</u> | <u>\$56,935</u> | <u>\$56,935</u> |
|-----------------|-----------------|-----------------|

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation would impose an additional fine and driver's license suspension on any person failing to yield the right-of-way when the violation results in physical injury, serious physical injury, or death to a person. The additional fines collected under this provision would be credited to the Motorcycle Safety Trust Fund.

DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Transportation
Department of Revenue
Department of Public Safety
 – Missouri State Highway Patrol
Office of Prosecution Services
Office of State Public Defender



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Director
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