

3
COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3440-01
Bill No.: HB 976
Subject: Disabilities; Health Care Professionals; Licenses - Motor Vehicles; Revenue Dept.
Type: Original
Date: February 12, 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 Fund | (\$54,784) | (\$25,919) | (\$25,919) |
| Total Estimated Net Effect on <u>Other</u> State Funds | (\$54,784) | (\$25,919) | (\$25,919) |

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 | \$375 | \$750 | \$750 |

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Department of Health and Senior Services** and the **Department of Mental Health** assume this proposal would have no fiscal impact on their agencies.

Based upon data from FY03, officials with the **Department of Revenue (DOR)** estimates 1,499 replacement placard transactions per year. Raising the replacement placard fee to \$4.00 would yield an estimated \$1,124 in FY05 and \$2,249 in both FY06 and FY07. Cities governments would receive \$225 in increased revenue in FY05 and \$450 in both FY06 and FY07. Counties would receive \$150 in increased revenue in FY05 and \$300 in both FY06 and FY07.

Officials with DOR assume there could be cost in FY05 to microfilm 26,867 transactions. Additionally in FY06, DOR estimates there could be approximately 173,934 new transactions that would require physician's statements and any accompanying documents to be microfilmed. Additional cost could also be incurred for procedure changes, envelopes and postage to ensure the field is adequately notified of the proposed changes.

DOR could also require programming modifications to the General Registration System, renewal pulls, disabled placards system, and the Uniformed Field Office System (UFOS). ITB estimates they could incur costs in the amount of \$36,799 for FY05 to complete the modifications for the

ASSUMPTION (continued)

requirement physician statements every four years. In addition, the State Data Center has indicated that to store this data it could require approximate \$1,000 annually.

FY 05

| | |
|--------------------------------------|----------------|
| Increase in replacement placard fee | \$1,124 |
| Microfilm supplies | (\$133) |
| Overtime hours for microfilming | (\$2,174) |
| Procedural Changes | (\$530) |
| Programming for physician statements | (\$36,799) |
| Fringe Benefits | (\$15,772) |
| Storage | <u>(\$500)</u> |
| Total | (\$54,784) |

FY 06

| | |
|--|------------------|
| Increase in replacement placard fee | \$2,249 |
| Microfilm supplies | (\$165) |
| Overtime hours for microfilming | (\$14,098) |
| Fringe Benefits | (\$5,705) |
| Printing new physician statements/flyers | (\$7,200) |
| Storage | <u>(\$1,000)</u> |
| Total | (\$25,919) |

FY 07

| | |
|--|------------------|
| Increase in replacement placard fee | \$2,249 |
| Microfilm supplies | (\$165) |
| Overtime for microfilming | (\$14,098) |
| Fringe Benefits | (\$5,705) |
| Printing new physician statements/flyers | (\$7,200) |
| Storage | <u>(\$1,000)</u> |
| Total | (\$25,919) |

| <u>FISCAL IMPACT - State Government</u> | FY 2005 (6 Mo.) | FY 2006 | FY 2007 |
|---|--------------------------|--------------------------|--------------------------|
| HIGHWAY FUND | | | |
| <u>Income-DOR</u> | | | |
| Increase in replacement placard fee | \$1,124 | \$2,249 | \$2,249 |
| <u>Cost-DOR</u> | | | |
| Overtime compensation | (\$38,973) | (\$14,098) | (\$14,098) |
| Procedural changes | (\$530) | \$0 | \$0 |
| Fringe benefits | (\$15,772) | (\$5,705) | (\$5,705) |
| Printing and supplies | (\$133) | (\$7,365) | (\$7,365) |
| Storage | <u>(\$500)</u> | <u>(\$1,000)</u> | <u>(\$1,000)</u> |
| <u>Total Cost-DOR</u> | <u>(\$55,908)</u> | <u>(\$28,168)</u> | <u>(\$28,168)</u> |
| ESTIMATED NET EFFECT ON HIGHWAY FUND | <u>(\$54,784)</u> | <u>(\$25,919)</u> | <u>(\$25,919)</u> |
| <u>FISCAL IMPACT - Local Government</u> | | | |
| | FY 2005 (6 Mo.) | FY 2006 | FY 2007 |
| <u>Income-Cities and Counties</u> | | | |
| Increase in replacement placard fee | <u>\$375</u> | <u>\$750</u> | <u>\$750</u> |

FISCAL IMPACT - Small Business

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

DESCRIPTION

This act revises the procedures relating to disabled license plates and placards and the use of designated disabled parking spaces.

Under this act, fraudulent procurement or use of a disabled license plate is a Class A misdemeanor. Under current law, it is a Class C misdemeanor.

Physicians or health care practitioners will be guilty of a Class A misdemeanor if they issue, sign, or furnish a physician's statement or certificate to enable a person to obtain disabled license plates or windshield placards for any person who does not meet established conditions required by law or if there is no basis for a diagnosis, or state a condition or diagnosis which is outside the

DESCRIPTION (continued)

scope of the provider's license. Under current law it is a Class C misdemeanor for a health care practitioner to certify an individual for a disabled plate or placard if the diagnosis is outside the practitioner's scope (Section 301.141).

This act allows other health care practitioners (chiropractors, podiatrists, and optometrists) to certify individuals for disabled license plates and placards (Section 301.142).

Under this act, age, in and of itself, shall not be a factor in determining whether a person is entitled to a disabled license plate (Section 301.142.1(f)).

This act provides that other authorized health care practitioners may furnish disabled persons a statement for only those health care conditions for which the practitioner is authorized to treat. The act establishes record maintenance requirements for physicians and health care practitioners who issue physician statements. Such records shall be available to inspection to the practitioner's licensing board, the Department of Revenue and appropriate law enforcement officers. Such records shall be confidential unless required to be disclosed by law.

Under this act, a physician's statement shall:

1. Be on a form prescribed by the Director of Revenue;
2. Set forth the specific diagnosis which renders the person physically disabled;
3. Include the physician's license number; and
4. Be signed by the physician or health care practitioner (Section 301.142.3).

No more than two removable windshield handicap placards may be issued by the Director of the Department of Revenue to any one person. Placards shall be renewable only by the person to which the placard was originally issued. The placard shall only be used when the person is in the motor vehicle at the time of parking or when the person is being delivered.

The Director also will be required to issue a registration certificate identifying the name, address, and other identifying information as prescribed by the Director. The Director shall furnish the applicant with a notice which sets forth that plates or placards are non-transferable, what the restrictions of use are, and the penalties for violating this act. The validated registration receipt given to the applicant shall serve as the registration certificate.

Every new applicant for a disabled plate or placard shall be required to present a new physician's

DESCRIPTION (continued)

statement dated no more than 90 days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than 90 days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than 90 days prior to such application shall be required every fourth year.

Under this act, a personal representative of a decedent who comes into possession of disabled plates shall return the plates to the director of revenue. Failure to do so is a Class A misdemeanor.

Under this act, the fee for a replacement windshield placard is increased from \$2 to \$4.

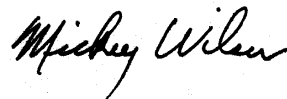
Under this act, a person who cannot produce the certificate which authorizes him or her to park in a disabled parking space shall be guilty of an Class A misdemeanor. If a person can later produce a valid certificate in court, the person shall not be found guilty. Under this act, a placard shall only be used when the vehicle is parked in a disabled parking space (Section 304.601).

This act is substantially similar to SS/SCS/HB 598 and SB 343 (2003). This act has an effective date of January 1, 2005.

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

Department of Revenue
Department of Health and Senior Services
Department of Mental Health



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Director
February 12, 2004