

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3264-01
Bill No.: HB 1043
Subject: Children and Minors; Motor Vehicles; Public Safety Department.
Type: Original
Date: January 27, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education (DESE)** state they assume that the language contained in the proposed new sections, 307.178 and 37.182, excludes school buses in that specific reference is made in 307.178 that a 'passenger car' means every motor vehicle designed for carrying ten persons or less. There is no cost to school districts if this assumption is correct.

DESE also states that if further review determines that this assumption is incorrect and that school buses would be included in this new legislation, then a significant fiscal note will need to be included.

Officials from the **Department of Public Safety - Director's Office** assume the proposal would not fiscally impact their agency as long as the Division of Highway Safety (within the Department of Transportation) assumed responsibility to initiate and develop a program of public information regarding the section.

Officials from the **Department of Transportation (MoDOT)** state this legislation amends various provisions regarding the use of child restraint systems in motor vehicles. The educational materials with revised law information would have to be redesigned and printed, but the cost will be absorbed by MoDOT.

ASSUMPTION (continued)

The SAFETEA-LU legislation will make section 2011 incentive grants available to states that are enforcing a law requiring any child riding in a passenger vehicle who is too large to be secured in a child safety seat to be secured in a child restraint that meets the requirements prescribed under section 3 of Anton's Law (49 USC 30127 note; 116 Stat. 2772). These grants may only be used for child safety seat and restraint programs (enforcing the law, training, and public education).

The maximum amount that Missouri could receive is 25 percent of their Section 402 Highway Safety apportionment for the fiscal year 2003 (\$3.4 million X 25% = \$850,000), however, once the grant is split between the eligible states, Missouri's total portion for FY07 and FY08 is estimated to be \$600,000 and the total portion for FY09 is estimated to be \$700,000. The incentive grant proceeds is expected to be used as follows for FY07 and FY08: \$300,000 for the purchase of child safety seats for low-income families and \$300,000 for law enforcement, training, and public education. The incentive grant proceeds for FY09 is expected to be used as follows: \$350,000 for the purchase of child safety seats for low-income families and \$350,000 for law enforcement, training, and public education.

In summary, MoDOT assumes the proposal would result in grants to the Highway Safety Fund of \$600,000 in FYs 2007 and 2008 and \$700,000 in FY 2009.

Oversight assumes the receipt of federal incentive grant moneys resulting from this proposal is speculative and therefore, have not included the estimate in the fiscal note.

Officials from the **Office of Prosecution Services** state the proposal will not have a significant direct fiscal impact on county prosecutors, although it may lead to an increase in prosecutions / caseloads.

Officials from the **Office of the State Public Defender** and the **Department of Public Safety - Missouri Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Office of the State Courts Administrator** assume the proposal would not fiscally impact the courts.

Officials from the **Department of Revenue (DOR)** anticipate this proposal will have minimal impact, however, if additional convictions are received and point assessment is required, DOR may require additional FTE based on the volume received.

ASSUMPTION (continued)

Officials from the **Office of Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$1,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small business car rental agencies would be required to provide for rental of appropriate child passenger restraint systems as a result of this proposal.

DESCRIPTION

This proposal changes the laws regarding child passenger restraints and safety belts. The bill:

- (1) Requires children younger than four years of age, regardless of weight, or who weigh less than 40 pounds, regardless of age, to be secured in a child passenger restraint system;
- (2) Requires children four through eight years of age or weighing 40 to 80 pounds or less than four feet nine inches in height to be secured in a child passenger restraint system or booster seat;
- (3) Requires children at least 80 pounds or more than four feet nine inches in height to be secured by a vehicle safety belt;
- (4) Requires car rental agencies doing business in Missouri to inform customers of the requirements of the bill and to provide an appropriate child passenger restraint system;
- (5) Exempts public carriers for hire; and
- (6) Requires the Department of Public Safety to develop a public information program to ensure compliance with child passenger restraint laws.

The exemption on belt usage of drivers and passengers if there are more persons than there are safety belts is removed.

The proposal becomes effective January 1, 2007.

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 Public Safety
Department of Transportation
Office of the State Courts Administrator
Office of the State Public Defender
Office of the Secretary of State
Department of Revenue
Department of Elementary and Secondary Education
Office of Prosecution Services



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Director
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