

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5222-07  
Bill No.: HCS for HB 1815  
Subject: Transportation; Law Enforcement Officers and Agencies; Public Records, Public Meetings; Highway Patrol  
Type: Original  
Date: April 30, 2014

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Bill Summary: This proposal specifies that a crash report shall not be a public record and subject to the open records and meetings law with certain exceptions.

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>       |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2015    | FY 2016    | FY 2017    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated Net Effect on General Revenue Fund</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>              |                              |                              |                              |
|---|------------------------------|------------------------------|------------------------------|
| FUND AFFECTED   | FY 2015                      | FY 2016                      | FY 2017                      |
| Traffic Records Fund  | (Less than \$100,000)        | (Less than \$100,000)        | (Less than \$100,000)        |
|   |                              |                              |                              |
| <b>Total Estimated Net Effect on <u>Other</u> State Funds</b> | <b>(Less than \$100,000)</b> | <b>(Less than \$100,000)</b> | <b>(Less than \$100,000)</b> |

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                  |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2015    | FY 2016    | FY 2017    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated Net Effect on <u>All</u> Federal Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b> |          |          |          |
|---|----------|----------|----------|
| FUND AFFECTED   | FY 2015  | FY 2016  | FY 2017  |
|   |          |          |          |
|   |          |          |          |
| <b>Total Estimated Net Effect on FTE</b>                  | <b>0</b> | <b>0</b> | <b>0</b> |

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |                              |                              |                              |
|--|------------------------------|------------------------------|------------------------------|
| FUND AFFECTED                              | FY 2015                      | FY 2016                      | FY 2017                      |
| <b>Local Government</b>                    | <b>(Less than \$100,000)</b> | <b>(Less than \$100,000)</b> | <b>(Less than \$100,000)</b> |

## **FISCAL ANALYSIS**

### **ASSUMPTION**

#### **§§ 610.100, 610.250 - Open Records:**

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume this proposal will limit the individuals and/or agencies who currently request and receive crash reports and pay a dissemination fee. In 2013, the Traffic Records Fund received \$118,309 in fees from accident reports.

MHP assumes this proposal will result in a reduction in the amount of fees obtained and deposited in the Traffic Records Fund due to the decreased number of requesting parties. However, the extent of the reduction is unknown since we currently do not capture information from requesting parties concerning why they are making the request for the report.

MHP assumes the lost revenue will be an amount less than received in the most recent year.

Since the number of requested crash reports is unknown, **Oversight** will estimate a decrease in revenue of "(Less than \$100,000)" to the Traffic Records Fund and to Local Political Subdivisions.

In response to the previous version of this proposal, officials from the **Office of the Secretary of State (SOS)** assumed many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS 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 the Secretary of State's Office for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize 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, we reserve 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.

ASSUMPTION (continued)

Officials from the **Attorney General's Office (AGO)** assume any potential cost arising from this proposal can be absorbed with existing resources. AGO may see additional appropriations if there is a significant increase in referrals.

Officials from the **Department of Transportation, the Department of Insurance, Financial Institutions and Professional Registration, and the Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations.

| <u>FISCAL IMPACT - State Government</u>  | FY 2015<br>(10 Mo.)                     | FY 2016                                 | FY 2017                                 |
|--|---|---|---|
| <b>TRAFFIC RECORDS FUND</b>  |   |   |   |
| <u>Loss - DPS-MHP</u><br>§§ 610.100, 610.250 - Limitation of<br>individuals who request crash reports                        | (Less than<br><u>\$100,000</u> )        | (Less than<br><u>\$100,000</u> )        | (Less than<br><u>\$100,000</u> )        |
| <b>ESTIMATED NET EFFECT TO THE<br/>TRAFFIC RECORDS FUND</b>  | <b>(Less than<br/><u>\$100,000</u>)</b> | <b>(Less than<br/><u>\$100,000</u>)</b> | <b>(Less than<br/><u>\$100,000</u>)</b> |
| <u>FISCAL IMPACT - Local Government</u>  | FY 2015<br>(10 Mo.)                     | FY 2016                                 | FY 2017                                 |
| <b>LOCAL POLITICAL SUBDIVISIONS</b>  |   |   |   |
| <u>Loss - Police and Sheriff Departments</u><br>§§ 610.100, 610.250 - Limitation of<br>individuals who request crash reports | (Less than<br><u>\$100,000</u> )        | (Less than<br><u>\$100,000</u> )        | (Less than<br><u>\$100,000</u> )        |
| <b>ESTIMATED NET LOCAL<br/>POLITICAL SUBDIVISIONS</b>  | <b>(Less than<br/><u>\$100,000</u>)</b> | <b>(Less than<br/><u>\$100,000</u>)</b> | <b>(Less than<br/><u>\$100,000</u>)</b> |
| <u>FISCAL IMPACT - Small Business</u>  |   |   |   |

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

### FISCAL DESCRIPTION

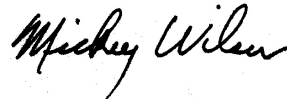
#### §§ 610.100, 610.250 - Open Records:

This proposal specifies that a crash report shall not be a public record and subject to the open records and meetings law with certain exceptions.

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 - Missouri State Highway Patrol  
Attorney General's Office  
Office of the Secretary of State  
Department of Transportation  
Department of Insurance, Financial Institutions and Professional Registration  
Office of the State Courts Administrator



Mickey Wilson, CPA  
Director  
April 30, 2014

Ross Strobe  
Assistant Director  
April 30, 2014