

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5394-02  
Bill No.: HCS for HB 2287  
Subject: Roads and Highways; Department of Transportation; Licenses - Driver's  
Type: Original  
Date: May 1, 2018

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Bill Summary: This proposal requires automatic driver's license revocation when a driver strikes a highway worker in a construction or work zone.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	(\$127,494)		
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$127,494)</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
<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 2019	FY 2020	FY 2021
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Department of Revenue (DOR)** assume the following regarding this proposal:

#### §304.585.6(1)

Requires the Department to suspend a license when notified an individual was involved in a motor vehicle crash where a highway worker was struck within a designated construction zone or work zone with proper signage.

#### §304.585.6(2)

Allows for the suspended individual to reinstate their driver license once they have passed the written and road skills test of the driver's license examination. Any evidence of written or road skills examination for license reinstatement purposes is a closed record and not subject to subpoena for any reason. The new section allows the driver to appeal the suspension to the court in the county where the work-zone accident occurred. The court may grant an order staying the suspension. Such stay order shall be sent to the Department and will be shown on the driver's record until the court issues an outcome. The county's prosecuting attorney shall appear at the hearing on behalf of the Department.

### Administrative Impact

To implement the proposed changes, the Department will be required to:

- Complete programming and user acceptance testing to create a new action type in the Missouri Driver License (MODL) system;
- Create new procedures, training manuals, notices, and forms;
- Update the Department website and driver guide; and
- Train staff.

#### FY 2019 - Driver License Bureau

Administrative Analyst I	1176 hrs. @ \$14.70 per hr.	= \$17,287
Management Analysis Spec II	1176 hrs. @ \$20.57 per hr.	= \$24,190
Revenue Manager Band I	1008 hrs. @ \$25.05 per hr.	= <u>\$25,250</u>
Total		= \$66,727

ASSUMPTION (continued)

Administrative Impact (continued)

FY 2019 - Personnel Services Bureau

Administrative Analyst III	336 hrs. @ \$19.43 per hr.	= \$ 6,528
Management Analysis Spec I	336 hrs. @ \$18.42 per hr.	= \$ 6,189
Total		= \$12,717

**Total Costs** **\$79,444**

OA-ITSD services will be required at a cost of **\$127,494** (1,699.92 hours x \$75 per hour) in FY 2019.

Below are the yearly number of accidents on Missouri roadways, which involved highway workers struck in work zones.

Year	Fatalities	Injuries	Total
2012	1	7	8
2013	0	4	4
2014	0	7	7
2015	1	11	12
2016	1	9	10
2017	1	4	5
<b>Total</b>			<b>46</b>
<b>Average</b>			<b>8</b>

A Revenue Processing Technician I (RPT I) can process 48 documents per day including order of suspension/revocation(s), returned mail, and other related processes. The Department assumes it can absorb the additional document processing with existing staff. If the number of documents received is higher than anticipated, additional FTE's will be requested through the appropriation process.

ASSUMPTION (continued)

**Oversight** assumes DOR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DOR could absorb some of the costs related to this proposal; therefore, Oversight will reflect a fiscal impact of \$127,494 for IT services in FY 2019.

Revenue Impact

A \$20 reinstatement fee will be imposed for reinstatement of any license suspended as a result of a motor vehicle accident where a highway worker was struck in a designated work zone. Due to the low number of suspension anticipated due to the provisions of this legislation, the expected revenue increase will be minimal.

Any fees collected would be distributed 75% Highway Fund, 15% Cities, and 10% Counties.

**Oversight** will not reflect the revenue impact on this fiscal note as it is minimal considering there is an average of eight highway workers struck annually.

Officials at the **Office of the State Courts Administrator** assume the fiscal impact of this proposal is unknown. There may be some impact but there is no way to quantify the impact at this time. Any significant changes will be reflected in future budget requests.

Officials from the **Attorney General's Office (AGO)** assume that any potential costs arising from this proposal could be absorbed with existing resources. AGO may seek additional appropriations if there is a significant increase in litigation.

Officials from the **Office of Prosecution Services** and **Department of Transportation** each assume the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **Department of Public Safety - Missouri Highway Patrol** assumed the proposal would have no fiscal impact on their organization.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
<b>GENERAL REVENUE FUND</b>			
<u>Cost - DOR - IT services</u>	<u>(\$127,494)</u>	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b><u>(\$127,494)</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This bill allows the Director of the Department of Revenue to immediately suspend a driver's license if an individual is involved in an accident with a highway worker in a construction or work zone.

Reinstatement of a suspended license can be achieved by passing both the written and driving parts of the driver's license examination. Records related to reinstatement are not to be used as evidence in any other matter and will be a closed public record. A driver may appeal a suspension to the circuit court in the county where the accident happened. The court may grant an order staying the suspension.

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 Transportation  
Department of Public Safety - Missouri Highway Patrol  
Office of Prosecution Services  
Office of the State Courts Administrator  
Attorney General's Office

Ross Strobe

A handwritten signature in black ink, appearing to read "Ross Strobe", with a stylized, cursive script.

Acting Director  
May 1, 2018