

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4519-01  
Bill No.: HB 1083  
Subject: Motor Vehicles; Telecommunications  
Type: Original  
Date: March 30, 2012

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Bill Summary: This proposal prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
<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 2013	FY 2014	FY 2015
<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 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol, Department of Transportation, Office of the State Courts Administrator, Office of Prosecution Services and Office of the State Public Defender** each assume the proposal will have no fiscal impact on their respective organizations.

In response to a similar proposal from last year (HB 317), officials from the **Boone County Sheriff's Office** and the **Springfield Police Department** each assumed no fiscal impact from the proposal.

### Section 304.820

Officials from the **Department of Revenue - Driver License Bureau** state this legislation removes the 21 and under age limitation which will result in an unknown increase in the number of convictions for driving while texting. The increase in convictions will also increase the number of point warning and suspension or revocation notices issued for accumulation of points.

There are no statistics available to determine how many additional convictions the Department may be required to process; however, one FTE can process 320 convictions per day. The Department assumes that a minimum of one FTE (Revenue Processing Tech) will be needed to process the additional convictions resulting from the violation. If the volume of convictions received for processing exceeds 320 per day, then additional FTE may be required and will be requested through the appropriation process.

There are no statistics available to determine the volume of telephone calls that may be received; however, currently a Telephone Information Operator (Revenue Processing Tech) is required to handle 100 calls per day. The Department assumes that a minimum of one FTE will be needed to answer the additional phone calls. If the calls received for driving while texting exceeds 100 calls per day, an additional FTE may be required and will be requested through the appropriation process.

The Department is unable to determine how many convictions will be received for driving while texting, therefore, the forms and postage costs for issuing the suspension or revocation notices are unknown.

ASSUMPTION (continued)

DOR assumes the following cost:

- One - Revenue Processing Tech -Process additional convictions for driving while texting.
- One - Revenue Processing Tech- answer telephone calls related to driving while texting.

DOR assumes the proposal would also have a revenue impact of an unknown amount in the form of Reinstatement Fees Collected. Fees collected will be distributed, 75% highway fund, 15% cites, and 10% counties.

**Oversight** received information that, as of January 23, 2012, the Department of Revenue processed 103 convictions for drivers twenty-one years of age or younger text messaging while driving since the statute went into effect on August 28, 2009.

**Oversight** assumes, based on the information received from Department of Revenue (DOR), that the number of convictions resulting from prohibiting all drivers, regardless of age, from text messaging while operating motor vehicles would not be excessive. Oversight assumes DOR could absorb the increase in work load resulting from the proposal within existing resources. If the DOR experiences an increase that would require additional funding, the DOR could request the funding through the appropriation process.

**Oversight** assumes any revenue impact would be minimal, and reflects no change to Total State Revenue as a result of the proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<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

The proposed legislation appears to have no fiscal impact.

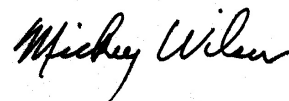
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Transportation  
Office of the State Courts Administrator  
Department of Public Safety  
Office of Prosecution Services  
Department of Revenue  
Boone County Sheriff's Office  
Springfield Police Department

NOT RESPONDING

City of Springfield  
St. Joseph Police Department



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