

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0629-01
Bill No.: HB 302
Subject: Motor Vehicles; Licenses - Motor Vehicle; Roads and Highways; Transportation
Type: Original
Date: February 23, 2015

Bill Summary: This proposal increases the penalties for the offense of failing to yield the right of way and the time period that the court may order the suspension of a person's driving privilege for the offense.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Highway Fund	Unknown Less than \$100,000	Unknown Less than \$100,000	Unknown Less than \$100,000
Total Estimated Net Effect on <u>Other</u> State Funds	Unknown Less than \$100,000	Unknown Less than \$100,000	Unknown Less than \$100,000

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on FTE	0	0	0

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Political Subdivisions	Could exceed \$100,000	Could exceed \$100,000	Could exceed \$100,000

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol**, the **Department of Elementary and Secondary Education**, the **Department of Transportation**, the **City of Kansas City** and the **City of Columbia** and each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Office of the State Courts Administrator** state the proposed legislation would increase the fine for failure to yield the right-of-way. According to the Fine Collection Center, as well as the total number of charges, the net average for the past five years of failure to yield the right-of-way violations with a guilty disposition is 3,127. It is unknown how much additional revenue the increase in fines would produce.

Since it is unknown how many of the 3,127 violations with guilty disposition resulted in injuries, serious injuries, or deaths, the amount of fine revenue will be reflected as: 'Could exceed \$100,000.'

Officials from the **Department of Revenue (DOR)** assume this proposal would increase the penalties for any person who pleads guilty to or is found guilty of a failure to yield the right-of-way violation in which the offender is found to have caused serious injury or has caused a fatality and requires the court to order a failure to yield the right-of-way suspension when applicable. In the event of a fatality, the proposed legislation would require the offender to complete a driver improvement program.

Administrative Impact

Driver License Bureau (DLB):

DOR is unable to determine how many court ordered suspensions will be received to process. If the volume is so significant that it cannot be absorbed by existing staff, additional FTE(s) will be requested through the appropriations process.

The proposed changes will require programming and testing of the failure to yield the right-of-way suspensions when involving a fatality.

- The Driver License Bureau estimates 80 hours of system testing by one Administrative Analyst.

ASSUMPTION (continued)

- The Driver License Bureau estimates 80 hours of system testing by one Management Analysis Specialist II.

Administrative Analyst -	80 hrs @ \$25 per hr =	\$2,000
Management Analyst Specialist II -	80 hrs @ \$24 per hr =	<u>\$1,920</u>
	Total =	\$3,920

Update web page - Administrative Analyst III -	10 hrs @ \$22 =	\$220
Update forms – Management Analysis Spec I -	40 hrs @ \$20 =	\$840
Update procedures – Management Analysis Spec I -	40 hrs @ \$20 =	<u>\$840</u>
	Total =	\$1,910

OA-ITSD Impact:

The following changes will need to be made:

- MODL – 237.60 hours;
- New compliance screen;
- Modify existing entry screen; and
- New compliance code for driver improvement program.

The value of the level of effort is calculated on 237.60 FTE hours @ \$75 = \$17,820.

In summary, DOR assumes a cost of \$23,650 (\$3,920 + \$1,910 + \$17,820) in FY 2016 to provide for the implementation of the changes in this proposal.

Oversight assumes DOR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DOR could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

DOR states reinstatement fees collected is unknown. Fees collected will be distributed 75% Highway Funds, 15% Cities, and 10% Counties.

Since it is unknown how much additional revenue the reinstatement fees collected would produce, for fiscal note purposes only, **Oversight** will estimate revenue as: Unknown less than \$100,000.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
HIGHWAY FUND			
<u>Income</u> - Additional revenue from reinstatement fees	Unknown Less <u>than \$100,000</u>	Unknown Less <u>than \$100,000</u>	Unknown Less <u>than \$100,000</u>
ESTIMATED NET EFFECT ON HIGHWAY FUNDS	<u>Unknown Less than \$100,000</u>	<u>Unknown Less than \$100,000</u>	<u>Unknown Less than \$100,000</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
LOCAL POLITICAL SUBDIVISIONS			
<u>Income</u> - Cities and Counties Additional revenue from reinstatement fees	Unknown Less than \$100,000	Unknown Less than \$100,000	Unknown Less than \$100,000
<u>Revenues</u> - Local School Districts Income from fines	Could exceed <u>\$100,000</u>	Could exceed <u>\$100,000</u>	Could exceed <u>\$100,000</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>Could exceed \$100,000</u>	<u>Could exceed \$100,000</u>	<u>Could exceed \$100,000</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 increases the penalty for the offense of failing to yield the right-of-way from \$200 to at least \$500 but not more than \$1,000, when physical injury is caused.

If serious physical injury is caused, the penalty is changed from up to \$500 to at least \$1,000 but not more than \$3,000 and the court must order the suspension of the person's driving privilege for 90 days. Currently, the court may order the suspension.

If the violation caused a fatality, the penalty is increased from up to \$1,000 to at least \$5,000 but not more than \$10,000.

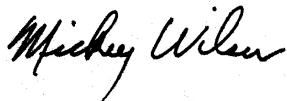
FISCAL DESCRIPTION (continued)

Currently, the court may order the suspension of the person's driving privilege for six months. The bill requires the court to order the suspension of the person's driving privilege for at least six months but not more than one year, and the individual must be required to participate in and successfully complete a driver improvement program approved by the Director of the Department of Revenue.

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 Public Safety
 Missouri Highway Patrol
Department of Transportation
Office of the State Courts Administrator
Department of Elementary and Secondary Education



Mickey Wilson, CPA
Director
February 23, 2015

Ross Strobe
Assistant Director
February 23, 2015