

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1458-01  
Bill No.: Perfected HB 740  
Subject: Licenses - Driver's; Crimes and Punishment  
Type: Original  
Date: April 1, 2015

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Bill Summary: This proposal prohibits the fine collection center from taking an individual's drivers' license for failure to appear for a traffic violation.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	(Unknown)	(Unknown)	(Unknown)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
<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 2016</b>	<b>FY 2017</b>	<b>FY 2018</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 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Department of Revenue** assume from §302.341, the proposed legislation will only allow a court to notify a defendant of its intent to suspend his or her driving privileges for failure to comply with a moving traffic violation if the prosecutor in that jurisdiction requests the court to do so. Thereafter, if the defendant doesn't comply with the notification within 30 days, the court may notify the Department of Revenue to suspend the defendant's driving privileges.

§476.385 allows the centralized bureau (Fine Collections Center) to notify the Department of Revenue of any defendant who failed to comply with a moving traffic violation and is subject to suspension under §302.341, RSMo. However, the Department would not be allowed to suspend the defendant's driving privileges until the prosecutor in that jurisdiction authorizes the suspension.

Based on this legislation, the volume of Failure to Appear or Pay Traffic Violation suspension notices may decrease. There are no statistics available to determine the decreased amount of suspensions the Department can expect. The proposed changes will also require form revisions and procedure changes.

Update forms - Management Analysis Spec I -	40 hrs @ \$21 =	\$840
Update procedures - Management Analysis Spec I -	40 hrs @ \$21 =	\$840
	Total =	\$1,680

If the amount of Failure to Appear or Pay Traffic Violation suspension notices that are processed decrease, the amount of reinstatement fees collected will also decrease. Fees are distributed 75% Highway Funds, 15% Cities, and 10% Counties.

**Oversight** assumes the cost to update forms and procedures for the Department of Revenue can be absorbed internally or requested through future appropriations.

Officials at the **Office of the State Courts Administrator** and the **Office of Prosecution Services** each assume no fiscal impact to their respective agencies from this proposal.

Officials at **St. Louis County**, the **Platte County Board of Election Commission** and the **City of Kansas City** each assume no fiscal impact to their respective entities from this proposal.

Officials at the Missouri Department of Transportation did not respond to **Oversight's** request for fiscal impact.

ASSUMPTION (continued)

**Oversight** assumes this proposal prohibits the fine collection center from taking an individual's drivers' license for failure to appear for a traffic violation. By prohibiting this action, Oversight assumes there could be a reduction to the number of drivers' licenses that would be reinstated which could lead to a loss in revenue to the Department of Revenue. Therefore, Oversight will reflect a unknown loss for this fiscal note.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
<b>GENERAL REVENUE</b>			
<u>Loss</u> - Department of Revenue - in revenue for reinstatement of drivers' licenses	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<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

Currently, if an individual charged with a moving traffic violation fails to appear in court as directed, or without good cause fails to pay any fine or court costs assessed against him or her for the violation within the period specified or as otherwise approved by the court, the court is required to order the Director of the Department of Revenue to suspend the individual's driving privileges if the charges are not disposed of and fully paid within 30 days from the date of the mailing. This bill specifies that the court is no longer required to order the suspension of the driving privileges, but instead may exercise discretion in determining whether the suspension of driving privileges is appropriate.

FISCAL DESCRIPTION (continued)

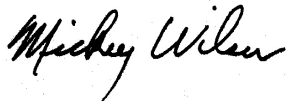
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator  
Office of Prosecution Services  
City of Kansas City  
Platte County Board of Election Commission  
St. Louis County  
Department of Revenue

NOT RESPONDING

Missouri Department of Transportation



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Director  
April 1, 2015

Ross Strobe  
Assistant Director  
April 1, 2015