

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4444-01  
Bill No.: HB 1542  
Subject: Motor Vehicles; Telecommunications  
Type: Original  
Date: January 4, 2016

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Bill Summary: This proposal prohibits text messaging while driving a non-commercial vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting and is being used in that manner.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Highway Fund	Unknown	Unknown	Unknown
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>Unknown</b>	<b>Unknown</b>	<b>Unknown</b>

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

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</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 2017</b>	<b>FY 2018</b>	<b>FY 2019</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 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<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

Officials from the **Department of Revenue (DOR)** assume this legislation removes the 21 and under age limitation from the current texting while driving offense, and adds the provision that the offense occurred in a noncommercial moving motor vehicle. This offense requires assessment of points upon conviction pursuant to Section 302.302, RSMo.

#### Administrative Impact:

This proposal will require updates to forms, website information, internal procedures and training of staff to account for the changes in this proposal.

#### FY `17

Administrative Analyst I - 40 hours@ \$21 per hour = **\$840**

The new law will result in an unknown increase in convictions. The increase in convictions will also increase the number of point warning and suspension/revocation notices issued for accumulation of points.

There are no statistics to determine how many additional conviction(s) the Department may be required to process; however, one FTE processes 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 this violation. If the volume of convictions received for processing exceeds 320 per day, then additional FTE will be required and will be requested through the appropriation process.

There are no statistics to determine the volume of telephone calls that may be received; however, 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 this conviction exceed 100 calls per day, then additional FTE will be required and will be requested through the appropriation process.

#### Revenue Impact:

Additional reinstatement fees collected will be distributed 75% Highway Funds, 15% Cities, and 10% Counties.

ASSUMPTION (continued)

Since it is unknown how many additional convictions the proposal will result in, **Oversight** will assume a positive unknown increase in revenue to the Highway Fund, Cities and Counties. Oversight also assumes the DOR will request additional personnel through budget decision items if an increased workload justifies it.

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

Officials from the **Office of Prosecution Services** assume that the creation of a new crime creates additional responsibilities for county prosecutors which may in turn result in additional costs which are difficult to determine.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
<b>HIGHWAY FUND</b>			
<u>Revenue - Reinstatement fees (75%)</u>	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
<b>ESTIMATED NET EFFECT TO THE HIGHWAY FUND</b>	<b><u>Unknown</u></b>	<b><u>Unknown</u></b>	<b><u>Unknown</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Revenue</u> - Cities Reinstatement Fees (15%)	Unknown	Unknown	Unknown
<u>Revenue</u> - Counties Reinstatement Fees (10%)	Unknown	Unknown	Unknown
<u>Revenue</u> - School Districts Fine Revenue	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>
<b>ESTIMATED NET EFFECT TO THE LOCAL POLITICAL SUBDIVISIONS</b>	<b>Less than <u>\$100,000</u></b>	<b>Less than <u>\$100,000</u></b>	<b>Less than <u>\$100,000</u></b>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

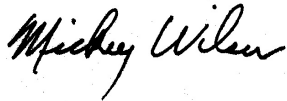
Currently, an individual 21 years of age or younger is prohibited from sending, reading, or writing a text message or electronic message from a hand-held electronic wireless communications device while operating a moving motor vehicle on any highway in this state. This proposal prohibits anyone, regardless of age, from these activities unless the device being used is equipped with technology allowing for voice-recognition hands-free texting and is being used in that manner while operating a noncommercial motor vehicle.

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

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SOURCES OF INFORMATION

Department of Revenue  
Department of Public Safety  
    Missouri Highway Patrol  
Department of Transportation  
Office of Prosecution Services  
Office of State Courts Administrator



Mickey Wilson, CPA  
Director  
January 4, 2016

Ross Strobe  
Assistant Director  
January 4, 2016