

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1726H.01I
Bill No.: HB 798
Subject: Roads and Highways; Licenses - Driver's; Telecommunications
Type: Original
Date: February 1, 2021

Bill Summary: This proposal prohibits text messaging while driving for all drivers.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Various State Funds	Less than \$100,000	Less than \$100,000	Less than \$100,000
Total Estimated Net Effect on <u>Other</u> State Funds	Less than \$100,000	Less than \$100,000	Less than \$100,000

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	Less than \$100,000	Less than \$100,000	Less than \$100,000

FISCAL ANALYSIS

ASSUMPTION

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

Administrative Impact

The current law prohibits driver 21 years or younger from texting while driving. In calendar year 2020, the department added 35 convictions on record. DOR assumes the increase for convictions for drivers of all ages would not be significant.

Current law already provides for convictions for commercial vehicle operator who operate mobile phones or text while driving. In calendar year 2020, the department added 53 convictions on record. The Department assumes the increase in these convictions would be minimal.

Based on those assumptions, the Department does not expect to require additional FTE. If the increase is more significant than anticipated or additional laws are passed affecting conviction processing, additional FTE may be requested through the appropriations process.

To implement the proposed legislation, the Department would be required to:

- Update forms and website; and
- Train staff.

FY 2022 – Driver License Bureau

Research/Data Analyst	40 hrs. x \$23.82 per hr. = \$ 953
Administrative Manager	20 hrs. x \$22.24 per hr. = \$ 445
	Total = \$ 1,398

FY 2022 – Public Service Bureau

Two Associate Research/Data Analyst	20 hrs. x \$19.08 x 2 per hr. = \$763
-------------------------------------	---------------------------------------

Total = \$ 2,161

The Department anticipates being able to absorb these costs and that there will be no impact. If multiple bills are passed that require Department resources, FTE may be requested through the appropriations process.

Officials from the **Missouri Department of Transportation, Missouri Highway Patrol, Missouri Office of Prosecution Services** and **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight notes, according to data provided by the Office of the State Courts Administrator, there were 33 infractions (guilty pleas) in FY 2020 for the offense of 21 years of age and under texting while driving with an approximate fine of \$83 per ticket.

Of the \$83 fine, \$20.50 goes to school districts as fine revenue and the remaining \$62.50 goes to various state and local funds for court costs. It would take approximately 1,200 tickets to be issued to reach \$100,000 in fine and court cost revenue. Oversight will reflect a potential amount of revenue to the state and local political subdivisions of "Less than \$100,000" per year from this charge.

Additional fine revenue received by local school districts may count as a deduction in the following year in determining their state aid apportionment, if the district is not a 'hold harmless' district. For simplicity, Oversight will only reflect the increase in fine revenue as a positive impact to local political subdivisions.

Below are examples of some of the state and local funds to which court costs are distributed.

Fee/Fund Name	Fee Amount
Basic Civil Legal Services Fund	\$8.00
Clerk Fee	\$15.00 (\$12 State/\$3 County)
County Fee	\$25.00
State Court Automation Fund	\$7.00
Crime Victims' Compensation Fund	\$7.50
DNA Profiling Analysis Fund	\$15.00
Peace Officer Standards and Training (POST) Fund	\$1.00
Sheriff's Retirement Fund	\$3.00
Motorcycle Safety Trust Fund	\$1.00
Brain Injury Fund	\$2.00
Independent Living Center Fund	\$1.00
Sheriff's Fee	\$10.00 (County)
Prosecuting Attorney and Circuit Attorney Training Fund	\$4.00
Prosecuting Attorney Training Fund	\$1.00 (\$0.50 State/\$0.50 County)
Spinal Cord Injury Fund	\$2.00

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
VARIOUS STATE FUNDS			
<u>Revenue</u> - Court costs for tickets for texting while driving in a school zone	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>
ESTIMATED NET EFFECT ON VARIOUS STATE FUNDS	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
LOCAL POLITICAL SUBDIVISIONS			
<u>Revenue</u> - fine revenue and court costs to various local political subdivisions for tickets for texting while driving	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>
ESTIMATED NET EFFECT TO THE LOCAL POLITICAL SUBDIVISIONS	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>

FISCAL IMPACT – Small Business

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

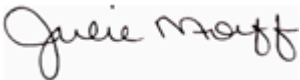
FISCAL DESCRIPTION

Currently, drivers under the age of 21 and drivers of commercial vehicles are prohibited from using hand-held cell phones to send, read, or write text messages or electronic messages. This bill applies the ban on use of hand-held cell phones to all drivers, subject to exceptions specified in the bill.

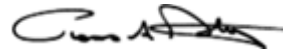
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Revenue
Missouri Department of Transportation
Missouri Highway Patrol
Department of Commerce and Insurance
Missouri Office of Prosecution Services
Office of the State Courts Administrator



Julie Morff
Director
February 1, 2021



Ross Strobe
Assistant Director
February 1, 2021