

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0621-02
Bill No.: SB 250
Subject: Motor Vehicles; Law Enforcement Officers and Agencies; Children and Minors
Type: Original
Date: February 14, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
General Revenue	(Unknown) to Unknown	(Unknown) to Unknown	(Unknown) to Unknown
Total Estimated Net Effect on General Revenue Fund	(Unknown) to Unknown	(Unknown) to Unknown	(Unknown) to Unknown

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
State School Moneys*	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds*	\$0	\$0	\$0

* Contains offsetting transfers.

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	Unknown	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation, Department of Revenue, Department of Public Safety – Missouri State Highway Patrol, Office of the State Public Defender,** and the **St. Louis Metropolitan Police Department** assume the proposal would have no fiscal impact on their agency.

Officials from the **Office of State Courts Administrator (CTS)** assume there could be a significant increase in the number of cases filed, depending on the degree of enforcement. CTS has no way of estimating that increase. Any significant increase would be reflected in future budget requests.

Officials from the **Office of Prosecution Services** assume the proposal would not have a significant direct fiscal impact on county prosecutors.

ASSUMPTION (continued)

Officials from the **Department of Elementary and Secondary Education (DESE)** assume school districts owning busses that are required to be equipped with safety belts pursuant to federal motor vehicle safety standards, as well as those districts that have chosen to equip buses with safety belts, will incur costs to bring their buses in line with the requirements of Section 307.179. DESE estimates that 20% of the approximately 10,500 buses have had seat belts installed because school districts have chosen to do so. Therefore, approximately 2,100 buses will require child passenger restraint systems. Assuming a conservative estimate of 10 restraint systems per bus at a cost of \$60 per restraint system, the bottom range of the cost estimate would be \$1,260,000 (2,100 buses x 10 restraint systems x \$60 each). DESE has no information on the number of buses required to be equipped with safety belts.

DESE assumes no state cost to the foundation formula associated with Section 307.178. DESE does not know how much additional fine money might be collected by the Department of Revenue to distribute to schools. Any increase in this money distributed to schools becomes a deduction in the foundation formula the following year. Therefore, the affected districts will see an equal decrease in the amount of funding received through the formula the following year, unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula with a proration factor of 1.00.

Oversight assumes buses that are already equipped with seat belts may opt to furnish to the small children booster seats instead of adding shoulder harnesses to some of the existing lap belt systems. Therefore, Oversight will assume this proposal would result in an unknown additional cost to local school districts to update their buses to be in compliance with the proposal.

Officials from the **Office of the Secretary of State (SOS)** assume the proposal would give the Department of Public Safety the authority to adopt rules to implement the provisions of this act. These rules would be published in the Missouri Register and the Code of State Regulations. These rules could require as many as 8 pages in the Code of State Regulations and half again as many pages in the Missouri Register, as cost statements, fiscal notes, and the like are not repeated in the Code. The estimated cost of a page in the Missouri Register is \$23 and the estimated cost of a page in the Code of State Regulations is \$27. Based on these costs, the estimated cost of the proposal is \$492 in FY 06 and unknown in subsequent years. The actual cost could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded, or withdrawn.

ASSUMPTION (continued)

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which would require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Officials from the **Springfield Police Department** estimate revenues to be approximately \$7,000 and processing costs to be \$6,000.

Oversight notes that increases in fines which would go to school districts would be offset by reduced payments to those districts through the State Foundation Formula.

Officials from the **Columbia Police Department** and the **Kansas City Police Department** did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (6 Mo.)	FY 2007	FY 2008
GENERAL REVENUE FUND			
<u>Savings</u> – Reduced appropriations to State School Moneys Fund (§307.178)	Unknown	Unknown	Unknown
<u>Costs</u> – Department of Elementary and Secondary Education (§307.179) Reimbursements to school districts	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(Unknown) to Unknown</u>	<u>(Unknown) to Unknown</u>	<u>(Unknown) to Unknown</u>

STATE SCHOOL MONEYS FUND

<u>Savings</u> – Reduced appropriations to school districts (§307.178)	Unknown	Unknown	Unknown
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<u>Losses</u> – Reduced appropriations to from General Revenue Fund (§307.178)	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT ON STATE SCHOOL MONEYS FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2006 (6 Mo.)	FY 2007	FY 2008
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SCHOOL DISTRICTS

<u>Revenues</u> – Reimbursement from state General Revenue Fund (§307.179)	Unknown	Unknown	Unknown
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<u>Revenues</u> – Increased fines (§307.178)	Unknown	Unknown	Unknown
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<u>Costs</u> – Child passenger restraints for school buses (§307.179)	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT ON SCHOOL DISTRICTS	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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FISCAL IMPACT - Small Business

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

DESCRIPTION

The proposed legislation would permit a law enforcement officer to enforce the seat belt law if the violation is clearly visible to the officer without stopping the vehicle. Noncompliance with the seat belt law would not constitute probable cause for a search of the driver, passenger, or vehicle (Section 307.178).

DESCRIPTION (continued)

The proposal would require children less than four years old to use an appropriate child passenger restraint system. The proposal would require children four years of age through five years of age to be secured in a child booster seat. Children six years of age or older would be required to use a safety belt. The fine for violating this section would be \$10. No court costs would be charged and no points would be assessed. A person could escape the \$10 penalty by demonstrating that the person obtained a child safety seat prior to or at his or her hearing which is satisfactory to the court or the party responsible for prosecuting the violator's citation (Section 307.179).

The proposal has an effective date of January 1, 2006.

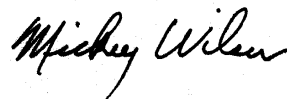
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Elementary and Secondary Education
Department of Transportation
Department of Revenue
Department of Public Safety
 – Missouri State Highway Patrol
Office of Prosecution Services
Office of the Secretary of State
Office of the State Public Defender
Springfield Police Department
St. Louis Metropolitan Police Department

NOT RESPONDING

Columbia Police Department
Kansas City Police Department



L.R. No. 0621-02
Bill No. SB 250
Page 7 of 7
February 14, 2005

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BLG:LR:OD (12/02)