

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1594-01
Bill No.: SB 347
Subject: Crimes and Punishment; Motor Vehicles; Roads and Highways; Transportation
Type: Original
Date: March 9, 2007

Bill Summary: Defines "utility vehicle" and enacts provisions regulating the use of utility vehicles.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Park & Soil Fund	(\$3,000 to \$5,000)	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	(\$3,000 to \$5,000)	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0



Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).



Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the State Public Defender** assume passage of this proposal increases penalties on existing crimes or creates new crimes. The number of new cases may be too few or uncertain to request additional funding for this specific bill.

Officials at the **Office of the Attorney General** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials at the **Office of Prosecution Services** assume this proposed legislation includes provisions for new criminal acts and therefore creates new obligations for prosecuting attorneys. Any increase in the number of cases referred for criminal prosecution and any new statutory obligations for prosecutors will have an additional fiscal impact on County Prosecutors. However, officials from the Office of Prosecution Services are not aware of any estimates of the number of additional criminal cases that would be referred to County Prosecutors for charges because of this proposed legislation. Additionally, the Office of Prosecution Services is not otherwise able to establish a workable estimate of the number of additional criminal cases that would be referred to County Prosecutors for charges or how many additional hours the proposed statutory obligations would require of prosecutors. It is therefore, not possible to determine the extent to which this proposal would have a direct fiscal impact on county prosecutors or the Office of Prosecution Services.

Oversight assumes that it is difficult to estimate the number of individuals who would violate the provisions of this proposal. Oversight assumes that the Office of the State Public Defender, Office of the Attorney General and the Office of Prosecution Services could absorb the cost of any cases arising from this legislation. Should a large number of cases arise then they could seek additional money through the appropriation process.

Officials at the **Department of Natural Resources (DNR)** assume DNR's "golf carts and "gators" weigh less than 1,820 pounds and would fall into under the definition of a "Utility Vehicle". This proposal would require a person who operates a utility vehicle to wear a helmet unless he or she is at the age of 18 or older. DNR would need to purchase helmets for those who are under the age of 18 when they operate utility vehicles. DNR estimated they would need to provide between 30-50 helmets at approximately \$100 each. This would result in a fiscal impact of between \$3,000 and \$5,000 for this provision. These workers are seasonal.

ASSUMPTION (continued)

Officials at the **Department of Transportation, Department of Public Safety, Department of Agriculture, Missouri Highway Patrol, Office of the State Courts Administrator, Department of Revenue, Department of Conservation** assume that there is no fiscal impact from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
PARK & SOIL FUND			
<u>Cost</u> - Park & Soil Fund safety helmets	<u>(\$3,000 to \$5,000)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON PARK & SOIL FUND	<u>(\$3,000 to \$5,000)</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
	<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

This act defines the term "utility vehicle" for the purposes of the motor vehicle chapters as any motorized vehicle manufactured and used exclusively for off-highway purposes which is 63 inches or less in width, has an unladen dry weight of 1,850 pounds or less, travels on four or six wheels, and is used primarily for landscaping, lawn care, or maintenance purposes.

Under the act, a utility vehicle shall not be operated upon the highways of this state except:

- (1) Governmental owned and operated utility vehicles for official use;
- (2) Utility vehicles operated for agricultural purposes or industrial on-premise purposes between

FISCAL DESCRIPTION (continued)

the official sunrise and sunset;

(3) Utility vehicles operated occasionally by handicapped persons for short distances only on the state secondary roads between the hours of sunrise and sunset;

(4) Utility vehicles which have been issued special permits by a city to be used on highways within the city limits by licensed drivers. The city may impose a \$15 fee for such permit; and

(5) Utility vehicles which have been issued special permits by a county to be used on highways within the county limits by licensed drivers. The county may impose a \$15 fee for the permit.

No person shall operate a utility vehicle:

(1) In a careless way so as to endanger the person or property of another;

(2) While under the influence of alcohol or a controlled substance; or

(3) Without a securely fastened safety helmet if the operator or rider is under the age of 18.

No person shall operate a utility vehicle within any stream or river except by an operator who owns the property or has permission to be on the property on which the waterway flows through or when fording a low-water crossing.

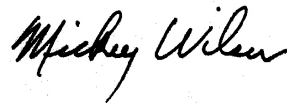
A person operating a utility vehicle on a highway shall have a valid operator's or chauffeur's license. The vehicle shall not be operated at a speed of more than 30 miles per hour on a highway.

No operator of a utility vehicle shall carry a passenger, except for agricultural purposes, unless the seat of the utility vehicle is designed to carry more than one passenger.

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 Transportation
Office of the Attorney General
Department of Public Safety
Office of the State Public Defender
Department of Agriculture
Office of the State Courts Administrator
Missouri Highway Patrol
Department of Revenue
Department of Conservation
Department of Natural Resources
Office of Prosecution Services

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
March 9, 2007