

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0471-01  
Bill No.: HB 89  
Subject: Roads and Highways; Motor Vehicles  
Type: Original  
Date: February 20, 2009

Bill Summary: This proposal requires vehicles to yield the right-of-way to all pedestrians crossing a city or neighborhood street in Jackson County and increases the penalty for leaving the scene of a motor vehicle accident.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	\$0	(\$109,013)	(\$286,946)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>(\$109,013)</b>	<b>(\$286,946)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
<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 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</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 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Department of Corrections (DOC)** assume that the penalty provision component of this bill resulting in potential fiscal impact for DOC, is for an increase from a class D felony to a class B felony.

DOC had 36 new term admissions in FY2008 for leaving the scene of a motor vehicle accident with an average sentence of 3.5 years and an average time served of 13.4 months for the current class D felony offense. Data on class B felons show they served an average of 31.9 months and the net difference would be an additional 18.5 months. 36 offenders each serving 18.5 months is equivalent to an additional 55 offenders per year. ( $36 \times 18.5 / 12 = 55$ ) The effect of this penalty enhancement would take effect in the second year of this fiscal note, therefore fiscal impact would begin in 2011.

It is estimated the increase in population will increase incrementally over the fiscal year. For cost estimates, a snapshot of the midyear average population was used to determine fiscal impact. Assumptions used to determine cost and rounded to the nearest whole number include, \$15.64 (FY08 cost) inmate daily direct expenses with an inflation rate of 3% per each subsequent year.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in direct offender cost either through incarceration (FY08 average of \$15.64 per offender, per day or an annual cost of \$5,709 per inmate) or through supervision provided by the Board of Probation and Parole (FY08 average of \$2.47 per offender, per day or an annual cost of \$902 per offender).

In summary, supervision by the DOC through incarceration or probation would result in additional costs and although the exact fiscal impact is unknown, it is estimated that potential costs will be in excess of the indicated measurable dollar amount per year.

The following charts detail the estimated fiscal impact for the scope of the fiscal note (FY's 2010, 2011, and 2012), the estimated ten-year fiscal impact, and the assumptions used in determining these costs:

ASSUMPTION (continued)

<b>Leaving the scene of motor accident</b>			
	<u>Cost</u>	<u>Days</u>	<u>Total</u>
Per Diem Operating Expenses	0	365	0
Construction (C4 or C5 \$55,000)			0
Inmate Direct Cost	15.64	365	5,709
Operating Inflation (3.0%)			1.030
Inmate Direct Inflation (3%)			1.030
Construction Inflation (3.0%)			1.030

	<b>End FY Population</b>	<b>Average Population</b>	<b>Direct Offender Expense</b>	<b>Operating Expense</b>	<b>Construction Expense</b>	<b>Total Cost w/ Inflation</b>
FY 2009	0	(current year which will have no costs incurred)				
FY 2010	0	0	0	0	0	\$0
FY 2011	36	18	102,755	0	0	\$109,013
FY 2012	55	46	262,596	0	0	\$286,946
FY 2013	55	55	313,973	0	0	\$353,379
FY 2014	55	55	313,973	0	0	\$363,981
FY 2015	55	55	313,973	0	0	\$374,900
FY 2016	55	55	313,973	0	0	\$386,147
FY 2017	55	55	313,973	0	0	\$397,732
FY 2018	55	55	313,973	0	0	\$409,664
FY 2019	55	55	313,973	0	0	\$421,953
<b>Total Ten-Year Fiscal Impact:</b>						\$3,103,715
Use either the operating cost OR inmate direct cost for each fiscal year.						

ASSUMPTION (continued)

Officials at the **Office of the State Courts Administrator, Department of Revenue, Missouri Highway Patrol, City of Kansas City** and the **Missouri Department of Transportation** assume that there is no fiscal impact from this proposal.

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

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
<b>GENERAL REVENUE FUNDS</b>			
<u>Cost- Dept. of Corrections</u> incarceration or probation costs	<u>\$0</u>	<u>(\$109,013)</u>	<u>(\$286,946)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUNDS</b>	<b><u>\$0</u></b>	<b><u>(\$109,013)</u></b>	<b><u>(\$286,946)</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<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 bill requires vehicles to yield the right-of-way to all pedestrians crossing a city or neighborhood street in Jackson County and increases the penalty for leaving the scene of a motor vehicle accident from a class D felony to a class B felony if the accident results in physical injury to another person or property damage greater than \$1,000 or if the offender has previously pled guilty to or been found guilty of leaving the scene of a traffic accident.

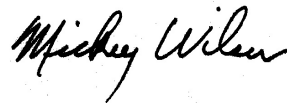
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Attorney General  
Office of the State Courts Administrator  
Department of Revenue  
Missouri Highway Patrol  
Missouri Department of Transportation  
Department of Corrections  
City of Kansas City

Not Responding

City of Grandview  
City of Independence  
City of Lees Summit  
City of Raytown  
Jackson County  
Kansas City Police Department  
Jackson County Sheriff Department



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Director  
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