

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0584-02
Bill No.: SB 130
Subject: Motor Vehicles; Roads and Highways; Telecommunications; Transportation
Type: Original
Date: January 26, 2009

Bill Summary: The proposal prohibits a driver from sending text messages or electronic messages while operating a motor vehicle.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
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 2010	FY 2011	FY 2012
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation, Department of Public Safety – Missouri State Highway Patrol**, and the – **Director’s Office** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Department of Revenue (DOR)** assume this proposal will have minimal impact on the Driver License Bureau as OA-ITSD will have to create a MODL code for state, county, and municipal offense and it will be used in the point evaluation routine to generate a point suspension or revocation. Based on 302.302, two points will be assessed and safe driving reduction will be given if a person is convicted of this offense.

DOR estimates the fiscal impact as follows:

ADMINISTRATIVE IMPACT

This will require the Driver License Bureau to notify entities such as JIS, REJIS, ALERT, who send files electronically to DOR and any court who sends files through the on line system, of the new violation codes for enhancement to the programs.

OA-INFORMATION TECHNOLOGY-DOR

Office of Administration Information Technology (ITSD DOR) estimates that this legislation could be implemented utilizing one existing CIT III for one month at a rate of \$4,441. Office of Administration Information Technology (ITSD DOR) estimates the IT portion of this request can be accomplished within existing resources; however; if priorities shift, additional FTE/overtime would be needed to implement.

ASSUMPTION (continued)

Officials from the **Office of Prosecution Services (OPS)** assume this bill will have no measurable fiscal impact on the Missouri Office of Prosecution Services. OPS assumes the potential fiscal impact on county prosecuting attorneys will necessarily depend on the extent to which law enforcement agencies choose to enforce this provision and/or are able to enforce this provision. If law enforcement agencies make arrests under this provision, there may be an impact based on the additional cases that may be filed. There may also be a fiscal impact based on the cost of additional investigation to determine and prove that a person was actually driving while engaged in sending text messages or electronic messages.

Oversight assumes fiscal impact on county prosecutors would be minimal and could be absorbed within existing resources.

Officials from the **Office of the State Public Defender (SPD)** assume increasing penalties on existing crimes, or creating new crimes, will require more SPD resources. While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional appropriations for this specific bill, the SPD will continue to request sufficient appropriations to provide competent and effective representation in all its cases.

Oversight assumes the Office of the State Public Defender (SPD) could absorb the costs of the proposed legislation within existing resources. Oversight assumes any significant increase in the workload of the SPD would be reflected in future budget requests.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<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.

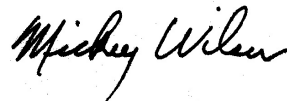
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact

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 Transportation
Department of Revenue
Department of Public Safety
 – Director's Office
 – Missouri State Highway Patrol
Office of Prosecution Services
Office of the State Public Defender



Mickey Wilson, CPA
Director
January 26, 2009