

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0584-03  
Bill No.: Perfected SCS for SB 130  
Subject: Motor Vehicles; Roads and Highways; Telecommunications; Transportation  
Type: Original  
Date: March 24, 2009

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Bill Summary: The proposal prohibits a driver from sending text messages or electronic messages while operating a motor vehicle. A violation would be deemed an infraction and shall be deemed a moving violation for purposes of point assessment.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</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 5 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 from the **Department of Transportation** assume the proposal would have no fiscal impact on their agency.

In response to a previous version of the proposal (SCS for SB 130, LR # 0854-03), officials from the **Department of Public Safety – Missouri State Highway Patrol** and the – **Director’s Office** assumed the proposal would have no fiscal impact on their agencies.

In response to a previous version of the proposal (SCS for SB 130, LR # 0854-03), officials from the **Office of State Courts Administrator** assumed the proposed legislation would have no fiscal impact on the courts.

In response to a previous version of the proposal (SCS for SB 130, LR # 0854-03), officials from the **Department of Revenue (DOR)** assumed 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)

In response to a previous version of the proposal (SCS for SB 130, LR # 0854-03), officials from the **Office of Prosecution Services (OPS)** assumed the potential fiscal impact on county prosecuting attorneys will 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. OPS assumes this legislation would not have any significant fiscal impact on the OPS.

**Oversight** assumes county prosecutors could absorb any increase in cases referred to prosecutors within existing resources.

In response to a previous version of the proposal (SCS for SB 130, LR # 0854-03), officials from the **Office of the State Public Defender (SPD)** assumed 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



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Director  
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