

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1606-05
Bill No.: HCS #2 for SB 357
Subject: Insurance - Property; Motor Vehicles; Revenue Department
Type: Original
Date: May 4, 2009

Bill Summary: This proposal modifies several provisions of law relating to transportation and the regulation of motor vehicles.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	\$158,500 to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)
Total Estimated Net Effect on General Revenue Fund	\$158,500 to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 19 pages.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Highway Funds	Unknown - Expected to be less than \$100,000	Unknown - Expected to be less than \$100,000	Unknown - Expected to be less than \$100,000
State Road Fund	(\$158,500 to Unknown)	(Unknown)	(Unknown)
Red Light Enforcement Fund*	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	Unknown up to (\$158,500 or Unknown)	Unknown to (Unknown)	Unknown to (Unknown)

* Offsetting Income and Expenses

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 FTE	0 FTE	0 FTE

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	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** state this proposal will have no fiscal impact on the Courts.

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

Officials from the **Department of Natural Resources, Department of Agriculture; Department of Insurance, Financial Institutions and Professional Registration**, and the **Department of Public Safety - Missouri State Highway Patrol** state this proposal will have no fiscal impact on their respective agencies.

Officials from the **Department of Public Safety - Office of the Director** assume that any costs associated with this proposed legislation can be absorbed with existing resources.

According to officials from the **Office of Secretary of State (SOS)**, many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the proposal. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500.

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

ASSUMPTION (continued)

Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

§21.795 and 226.030 - Transportation Inspector General

Officials from the **Missouri House of Representatives, Missouri Senate, and the Missouri Department of Transportation** assume that there is no fiscal impact from portion of the proposal.

§226.222 - MoDOT planning process

Officials from the **Missouri Department of Transportation (MoDOT)** assume MoDOT's normal planning process includes analysis of all transportation users' needs on every project. During each project's development, MoDOT staff works to identify all needs, not just those of motorized traffic, to ensure projects are comprehensive in addressing appropriate facilities. This is done through a collaborative process involving locally elected officials, communities, users, advocacy groups, public meetings and all others potentially impacted. Therefore there is no impact from this proposal.

§227.310, 227.311, 227.313, 227.368, 227.402, 227.407, 227.409, 227.410, 227.412 - Memorial Highway and Bridge Signs

MoDOT officials assume no fiscal impact from the proposed legislation because the legislation states that the signs will be paid for by private donations. This proposal will require MoDOT to fabricate, install and maintain memorial highway signs. MoDOT will not fabricate the signs until payment is received.

§301.131, 301.150, 301.310, 301.420, 301.440, 301.716, 307.010, 307.015, 307.090, 307.120, 307.125, 307.155, 307.172, 307.173, 307.195, 307.198, 307.365, 307.375, 307.390, 307.400, 488.06, 566.021 - Modifies numerous penalties for violations of motor vehicle licensing, registration, and equipment statutes

Officials from the **Department of Corrections (DOR)** state that the fiscal impact to their agency is unknown, but assumed to be \$0, or a minimal amount that can be absorbed by DOC each year.

Officials from the **Missouri Office of Prosecution Services** state that this proposal will have no fiscal impact on their agency. The potential fiscal impact on county prosecuting attorneys will

ASSUMPTION (continued)

necessarily depend on the extent to which law enforcement agencies choose to enforce this provisions 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.

Officials from the **Office of State Public Defender (SPD)** stated this proposal would provide very minimal relief for the SPD System. In FY 2008, SPD provided representation in just 54 cases (out of a total of 85,405) which will be reduced to infractions if this proposed legislation is enacted.

According to officials from the **Department of Elementary and Secondary Education (DESE)**, there is no state cost to the foundation formula associated with this proposal. Should the new crimes and amendments to current law result in additional fines or penalties, DESE cannot know how much additional money might be collected by local governments or the DOR to distribute to schools. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to schools increases the deduction in the foundation formula the following year. 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.

Oversight assumes that while this proposal reduces certain misdemeanors to infractions, it also changes punishment for certain actions to a misdemeanor. For fiscal note purposes only, Oversight assumes the decrease in fines from reducing the misdemeanors to infractions may be offset with an increase in fines from the creation of certain misdemeanors. For fiscal note purposes only, **Oversight** will assign no fiscal impact.

§301.165, 301.3155, 301.3158, 301.4005, 301.4006, 301.4010, 301.4016, 301.4018, 301.4020 - Specialty license plates

Officials from the **Department of Corrections - Missouri Vocational Enterprises** state this portion of the proposal would have no fiscal impact on their agency.

Officials from the **Missouri Veterans Commission** state this proposal will have no fiscal impact on their agency.

ASSUMPTION (continued)

This proposed legislation provides authorization for nine specialized license plates. According to officials from the **Department of Revenue (DOR)**, the number of applicants who will wish to obtain these specialized plates are unknown. However, for each 100 of the individual specialty plate applications received, there will be an increase in revenue each year \$1,500 from the \$15 specialty plate fee of which 75% would be distributed to the Highway Fund, 15 % to cities, and 10% to counties. The one exception is the Brain Tumor Awareness Organization plate which has a \$25 specialty plate fee. DOR will need to revise procedures, update the TRIPS plate table, and request funding in the amount of \$1,500 for every 100 specialty applications received per application for plate set-up, postage, envelope, notification, and plate costs.

§301.218 - Salvage vehicles

According to officials from the **Department of Revenue (DOR)**, this section expands sales at a salvage pool or a salvage disposal sale to include any person who is a resident of the United States.

The proposal provides that a Missouri resident not holding a salvage dealer license issued DOR may only purchase up to three vehicles in any calendar year for rebuilding or repairing purposes at salvage pool or salvage disposal sales. The individual must acquire a voucher or a certificate issued by DOR before making the purchase. The proposed legislation requires the Director to establish a system that allows a person or business to obtain three vouchers or certificates annually and that such vouchers shall be designed to allow for tracking of each vehicle purchased.

DOR assumes there may be an unknown loss of revenue to the Highway Fund in salvage business license fees (\$130 for 2 years) collected by DOR. This decrease could potentially be from salvage businesses who will no longer register as such with the Department since under this proposed legislation they can buy up to three motor vehicles in any calendar year at salvage pools/disposal sales without being licensed, provided they obtain a voucher or certificate from the Department allowing them to do so.

DOR also assumes there would be an unknown increase in revenue from the fee DOR charges from issuance of the voucher/certificate to cover the costs of issuing the voucher.

Oversight assumes the unknown loss of revenue from business licenses and the unknown increase of revenue from the issuance of vouchers/certificates would offset each other and for fiscal note purposes only, will show no fiscal impact.

ASSUMPTION (continued)

DOR will need to revise related policies and procedures, the DOR website, and develop an application for the salvage pool or salvage disposal sale voucher/certificate, which will be an electronic form. DOR will communicate these provisions via Titling Tips. There will be no additional costs associated with these changes. IT will need to revise TRIPS to accommodate a new type of fee and develop a new computer system to issue, print, and track customer and vehicle information associated with the vouchers/certificates.

DOR would have to process applications for voucher/certificate; it is unknown how many of these applications will be received. DOR would need 1 FTE in the form of a Revenue Processing Tech I to process all voucher/certificate requests and take related phone calls. Funding for supporting expenses and equipment in the amount of \$39,840, \$40,949, and \$42,176 for the three fiscal years respectively is required.

The Motor Vehicle Bureau will require funding for every 100 voucher/certificate applications received in the amount of \$47 for voucher/certificate, postage, and envelopes to be mailed back to the customer.

Oversight assumes that until it is established that a significant number of applications for voucher/certificates will be requested, DOR will not need additional FTE to implement this section. If it is determined that a significant number of applications need to be processed annually, DOR can request additional personal services through the budget process.

The **Office of Administration Information Technology (ITSD DOR)** estimates that this entire legislation could be implemented utilizing 3 existing CIT III's for 9 months at a rate of \$4,441/mo and 1 additional FTE for 3 months at the same rate for a total cost of \$133,230. 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.

§302.341- Increases the amount of excess revenues generated by fines for moving traffic violations that municipalities must send to the Department of Revenue

Officials from the **Department of Elementary and Secondary Education** and the **Department of Revenue** state this proposal will have no fiscal impact on their respective agencies.

Officials from the **Office of the State Auditor** assume the proposal would have no fiscal impact on their agency since the audit requirement is permissive.

ASSUMPTION (continued)

Oversight received information from the **Department of Revenue (DOR)** that there are currently no cities, towns, or villages sending fine revenues in excess of 45% of their total annual revenue to the DOR due to the provisions of the existing statute. Oversight is not aware of any cities, towns, or villages that would be impacted under the proposal. However, Oversight assumes if there are any, the proposed legislation could result in losses to cities, towns, or villages receiving more than thirty-five percent of their annual general operating revenue from fines and court costs. Oversight also assumes the DOR would receive additional revenues from these cities, towns, or villages, which would be distributed to local school districts. Oversight has reflected the fiscal impact as Unknown.

Officials from the **City of Centralia**, **City of Kansas City**, and the **City of West Plains** assume the proposal would have no fiscal impact on their respective political subdivisions.

§302.545, 302.700, 302.735, 302.755, and 311.326

DOR officials state that revisions to these sections are mandated for compliance with the Federal Motor Carrier Safety Regulations, 49 CFR Part 383 and §384.403 for Commercial Driver License (CDL) holders, as promulgated by the US Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA).

The DOR Driver License Bureau will need to test the programs that would change the expungement provisions and the disqualifications for Failure to Appear. This can be absorbed with existing resources and staff during normal work hours.

§304.170 and 304.260 - Tractor Parades

MoDOT officials assume that there is no fiscal impact from this portion of the proposal.

§304.287, 304.288, 304.289, and 304.290 - Automated red light enforcement systems

Officials from the **Department of Revenue**, and the **Department of Public Safety - Office of the Director** and the **Missouri State Highway Patrol** assume this proposal will have no fiscal impact on their respective agencies.

Officials from the **Office of State Auditor (SAO)** state it is unclear who performs the audit requirement. If it is the SAO, it appears the audit is only required upon appropriation of funds for such audit. Assuming no audit will be required unless there is an appropriation for such audit

ASSUMPTION (continued)

costs, there should be no impact so long as the appropriation is in a sufficient amount to cover the cost of the audit.

Officials from the **Department of Elementary and Secondary Education (DESE)** assume there is no state cost to the foundation formula associated with this proposal. Should the new crimes and amendments to current law result in additional fines or penalties, DESE cannot know how much additional money might be collected by local governments or the DOR to distribute to schools. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to schools increases the 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.

Oversight assumes any increase or decrease in fine or penalty revenues generated cannot be determined. Therefore, the fiscal note does not reflect any fine or penalty revenues for the local school districts.

Officials from the **Department of Transportation (MoDOT)** assume the bill imposes some obligations upon MoDOT, which could result in the need for additional staff or overtime. The bill requires MoDOT to collect of funds, assess of fines, and certify traffic signal timing for signals. The proposal also requires MoDOT to change signal timing. There are also some requirements for signing and pavement marking.

Section 304.287.2 requires all automated photo red light enforcement systems to be registered with MoDOT before they are installed. MoDOT will also collect a one-time registration fee of \$500 for each system used; these fees are to be deposited into the newly-created "Red Light Enforcement Fund," which will be used to fund audits of agencies using the systems.

§304.287.8 requires all signal phase timings to be certified by MoDOT before a system can be activated. Any signal timing adjustments must be approved in writing by MoDOT and must be certified by a MoDOT traffic engineer.

§304.287.10 requires all agencies and political subdivisions using red light camera systems to submit an annual report to MoDOT.

ASSUMPTION (continued)

§304.289.2 states that no agency shall employ the use of a photo radar system to enforce speeding violations. This would prohibit any future use of automated speed enforcement in work zones where studies show the use to be effective in reducing speeds.

MoDOT assumes an unknown negative fiscal impact from the legislation. They are unable at this time to determine an amount but anticipate the amount to be less than \$100,000 annually.

Oversight assumes the registration fees will be deposited into the Red Light Enforcement Fund. For fiscal note purposes, **Oversight** assumes the costs of compliance audits will equal the registration fees collected.

Oversight assumes any increase or decrease in fine or penalty revenues generated cannot be determined because the number of cities utilizing the red light camera systems is not known. Therefore, the fiscal note does not reflect any fine or penalty revenues for the local school districts.

Officials from **Clinton County** assume the proposal could generate revenues for their city if violations are prevalent. They may experience a savings in police time. They may experience increased costs for the equipment as well as the legal time for court cases.

Officials from the **City of Centralia, City of West Plains, Cass County, and St. Louis County** assume the proposal would have no fiscal impact on their respective political subdivisions.

Oversight assumes local governments that choose to implement an automated red light enforcement system could realize increased revenues in the form of fines. These local governments could also realize increased costs of equipment and administrative costs for implementing and enforcing the system. For fiscal note purposes, **Oversight** has reflected the revenues and costs as Unknown.

§565.081, 565.082, 565.083 - Assault of a corrections officer or a highway worker in a construction zone or a work zone

Officials from the **Department of Corrections (DOC)** state that, currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this portion of the proposal. Highway construction zone workers and correctional officer are added to the list of persons covered pursuant to the crime of assault of a law

ASSUMPTION (continued)

enforcement office. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

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 operational cost 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 probation would result in additional unknown costs to DOC. Eighteen persons would have to be incarcerated per each fiscal year to exceed \$100,000 annually. Due to the narrow scope of this new crime, it is assumed the impact would be less than \$100,000 per year for the DOC.

Sections 1, 2, 3, 4, 5 - Mississippi River Bridge Project

According to officials from the **Department of Transportation (MoDOT)**, this portion of the proposed legislation authorizes the Governor to convey a parcel of real property owned by the State of Missouri, which is currently being used by the Department of Corrections as a minimum security correctional facility, to the Missouri Highways and Transportation Commission for a new Mississippi River Bridge project. 32,682 square feet of land is conveyed in fee simple for the construction of approach roadways for the new bridge, 17,333 square feet is conveyed by permanent easement for the necessary relocation of Union Electric's existing transmission lines, and there will be temporary easements granted by the State of Missouri as necessary for construction features, such as curb and replacement parking, on the remaining land used by the Department of Corrections. MoDOT officials anticipate purchasing the property for \$158,500.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
GENERAL REVENUE FUND			
<u>Revenue</u> - Department of Revenue (DOR)			
- Increased fines from cities, towns, or villages (§302.341)	Unknown	Unknown	Unknown
<u>Transfer In</u> - Office of Administration - Land conveyance (Sections 1, 2, 3, 4, 5)			
	\$158,500	\$0	\$0
<u>Cost</u> - DOR - Processing costs for specialty plates (§301.165, 301.3155, 301.3158, 301.4005, 301.4006, 301.4010, 301.4016, 301.4018, 301.4020)			
	(Unknown - Expected to be less than \$100,000)	(Unknown - Expected to be less than \$100,000)	(Unknown - Expected to be less than \$100,000)
<u>Cost</u> - DOR - Distributions to local school districts (§302.341)			
	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> - Department of Corrections - Incarceration costs (§565.081, 565.082, 565.083)			
	(Unknown - Expected to be less than \$100,000)	(Unknown - Expected to be less than \$100,000)	(Unknown - Expected to be less than \$100,000)
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$158,400 to (Unknown)</u>	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
STATE ROAD FUND			
<u>Cost</u> - Department of Transportation (MoDOT) - Administrative Costs (§304.287, 302.289)	(Unknown)	(Unknown)	(Unknown)
<u>Transfer Out</u> - MoDOT - Land conveyance (Sections 1, 2, 3, 4, 5)	(\$158,500)	\$0	\$0
ESTIMATED NET EFFECT ON STATE ROAD FUND	<u>(\$158,500 to Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
RED LIGHT ENFORCEMENT FUND			
<u>Revenue</u> – MoDOT - Registration fees (§304.287, 302.289)	Unknown	Unknown	Unknown
<u>Costs</u> – MoDOT - Costs of compliance audits (§304.287, 302.289)	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON RED LIGHT ENFORCEMENT FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - State Government

FY 2010
 (10 Mo.)

FY 2011

FY 2012

HIGHWAY FUND

Income - Fees for specialty plates
 (§301.165, 301.3155, 301.3158,
 301.4005, 301.4006, 301.4010, 301.4016,
 301.4018, 301.4020)

Unknown -
 Expected to be
 less than
\$100,000

Unknown -
 Expected to be
 less than
\$100,000

Unknown -
 Expected to be
 less than
\$100,000

**ESTIMATED NET EFFECT ON
 HIGHWAY FUND**

Unknown -
Expected to be
less than
\$100,000

Unknown -
Expected to be
less than
\$100,000

Unknown -
Expected to be
less than
\$100,000

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
LOCAL POLITICAL SUBDIVISIONS			
<u>Income</u> - School Districts - Increased distribution of fine revenues (§302.341)	Unknown	Unknown	Unknown
<u>Income</u> - Cities and Counties - Revenues from red light fines (§304.287, 302.289)	Unknown	Unknown	Unknown
<u>Income</u> - Cities and Counties - Fees for specialty plates (§301.165, 301.3155, 301.3158, 301.4005, 301.4006, 301.4010, 301.4016, 301.4018, 301.4020)	Unknown - Expected to be less than \$100,000	Unknown - Expected to be less than \$100,000	Unknown - Expected to be Less than \$100,000
<u>Loss</u> - Cities, Towns, or Villages - Decreased revenues from fine revenue sent to the state (§302.341)	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> - Cities and Counties - Implementation and enforcement of red light system (§304.287, 302.289)	<u>(Unknown)</u>	<u>(Unknown)</u>	(Unknown)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>

FISCAL IMPACT - Small Business

Organizations and federations could see a positive fiscal impact from contributions to a organization or federation after the initial \$5,000 application fee for the special license plate.

FISCAL DESCRIPTION

§301.165, 301.3155, 301.3158, 301.4005, 301.4006, 301.4010, 301.4016, 301.4018, 301.4020 - Specialty license plates

This proposal would provide authorization for the following specialty license plates: Brain Tumor Awareness Organization, Armed Forces Expeditionary Medal, Legion of Merit Medal, Missouri Bicycle Federation, Nixa Education Foundation, National Wild Turkey Federation, Missouri Stream Team Program, Missouri State D.A.R.E. Training Center, United State Submarine Incorporation

§301.218 - Salvage vehicles

This section expands sales at a salvage pool or a salvage disposal sale to include any person who is a resident of the United States. The proposal also requires operators of salvage pool sales or subsequent purchasers, who sell non-repairable vehicles to non-U.S. residents, to stamp the titles to such vehicles with the words "FOR EXPORT ONLY." The proposal provides that a Missouri resident not holding a salvage dealer license issued DOR may only purchase up to three vehicles in any calendar year for rebuilding or repairing purposes at salvage pool or salvage disposal sales.

§302.341- Increases the amount of excess revenues generated by fines for moving traffic violations that municipalities must send to the Department of Revenue

Currently, if a city, town, or village receives more than 45% of its total annual revenue from fines for traffic violations, all revenue from these violations in excess of 45% must be sent to the Department of Revenue. This proposed legislation reduces the amount to 35% of the annual general operating revenue but includes court costs for traffic violations in the amount. Failure to send the excess revenue to the Department of Revenue direct or in a timely manner as established by department rule may result in the city, town, or village being subject to an annual audit by the State Auditor.

§304.287, 304.288, 304.289, and 304.290 - Automated red light enforcement systems

The proposed legislation establishes the Missouri Universal Red Light Enforcement Act which allows various political entities to establish automated photo red light enforcement systems to detect red light signal violations.

Prior to installation, all systems must be registered with the Department of Transportation. At the time of registration, a one-time, \$500-per-light fee will be collected and deposited into the Red Light Enforcement Fund for conducting audits to ensure entity compliance with the

FISCAL DESCRIPTION (continued)

provisions of the proposed legislation.

The proposal requires entities implementing a system to submit an annual report to Department of Transportation regarding the number of intersections enforced by an active system; the number of notices of violation mailed; the number of notices of violation paid; the number of hearings; and the total revenue collected as a result of the system. Any entity failing to complete the annual report within 45 days of its due date will be fined \$50,000 and must remove all automated photo red light enforcement systems.

Before a notice of violation may be issued, all images produced by a system must be reviewed and approved by a law enforcement officer employed by the entity in which the alleged violation occurred. Based on inspection of recorded images, a signed notice of violation or copy of the notice alleging that the violation occurred will be evidence of the facts and will be admissible in any proceeding.

The civil penalties and court costs imposed for a violation must not exceed an amount that would have been imposed if the violation had been detected by a law enforcement officer present when the violation occurred. The combined fine and court costs cannot exceed \$25. Any fines collected must go to the local school district where the infraction occurred. A person who commits a red light violation will be guilty of an infraction with no points being assessed against his or her driver's license and not made a part of his or her operating record. A person charged with committing a red light violation may rebut the violation by filing an affidavit with the court that he or she was not the operator of the vehicle at the time of the alleged violation.

§565.081, 565.082, 565.083

This portion of the proposal expands the crimes of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, or third degree to include highway construction zone workers and correctional officers.

Sections 1, 2, 3, 4, 5 - Mississippi River Bridge Project

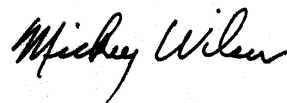
This portion of the proposed legislation authorizes the Governor to convey a parcel of real property, which is being currently used by the Department of Corrections as a minimum security correctional facility, to the Missouri Highways and Transportation Commission for a new Mississippi River Bridge project.

FISCAL DESCRIPTION (continued)

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

SOURCES OF INFORMATION

Office of the State Courts Administrator
Office of the Secretary of State
 Administrative Rules Division
Office of Attorney General
Department of Natural Resources
Department of Public Safety
 Office of the Director
 Missouri Highway Patrol
Department of Revenue
Department of Transportation
Department of Agriculture
Department of Insurance, Financial Institutions and Professional Registration
Office of Prosecution Services
Office of State Public Defender
Missouri House of Representatives
Missouri Senate
Office of State Auditor
Department of Elementary and Secondary Education
Department of Corrections
 Missouri Vocational Enterprises
Missouri Veterans Commission
Cities
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 Kansas City
Counties
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 St Louis County



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