

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0459-01
Bill No.: SB 3
Subject: Crimes and Punishment; Highway Patrol; Licenses - Driver's; Motor Vehicles;
 Roads and Highways; Transportation
Type: Original
Date: January 16, 2015

Bill Summary: This proposal expands the ban on using cell phones while driving to all drivers and to include telephone calls.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Highway Fund	Unknown	Unknown	Unknown
Total Estimated Net Effect on <u>Other</u> State Funds	Unknown	Unknown	Unknown

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Government	Unknown	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol**, the **Department of Transportation** and the **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Department of Revenue (DOR)** assume this legislation removes the 21 and under age limitation from the current texting while driving offense and creates a new offense of 'using an electronic wireless communications device' while driving.

Administrative Impact

This proposal will require updates to forms, website information, internal procedures and training of staff to account for the changes in this proposal.

FY `15

Administrative Analyst I - 40 hours @ \$25 (1 ½) per hour = \$1,000

The new law will result in an unknown increase in convictions. The increase in convictions will also increase the number of point warning and suspension/revocation notices issued for accumulation of points.

There are no statistics to determine how many additional conviction(s) the Department may be required to process; however, one FTE processes 320 convictions per day. The Department assumes that a minimum of one FTE (Revenue Processing Tech) will be needed to process the additional convictions resulting from this violation.

There are no statistics to determine the volume of telephone calls that may be received; however, a Telephone Information Operator (Revenue Processing Tech) is required to handle 100 calls per day. The Department assumes that a minimum of one FTE will be needed to answer the additional phone calls.

A new conviction code will need to be created for the Missouri Driver License System at a cost of \$1,092.

ASSUMPTION (continued)

Oversight assumes DOR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DOR could absorb the costs related to this proposal. If the volume of convictions received for processing exceeds 320 per day and calls received for this conviction exceed 100 calls per day then additional FTE will be required and DOR could request funding through the appropriation process.

Revenue Impact

Additional reinstatement fees collected will be distributed 75% Highway Funds, 15% Cities, and 10% Counties.

Oversight notes that according to Office of the State Courts Administrator there were 58 citations filed at the Fine Collection Center for the texting and driving violation in FY 2014.

Since it is unknown how many additional convictions the proposal will result in (depending on enforcement by peace officers as well as actions by prosecutors and judges), **Oversight** will assume a positive unknown increase in revenue to the Highway Fund, Cities and Counties for additional reinstatement fees as well as a positive unknown increase in revenue to local political subdivisions for additional fine revenue. Additional fine revenue received by local school districts may count as a deduction in the following year in determining their state aid apportionment, if the district is not a 'hold harmless' district. For simplicity, Oversight will only reflect the increase in fine revenue as a positive impact to local political subdivisions.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
HIGHWAY FUND			
<u>Revenue</u> - Reinstatement fees (75%)	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT TO THE HIGHWAY FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
LOCAL POLITICAL SUBDIVISIONS			
<u>Revenue</u> - various local political subdivisions for tickets for using a cellular phone while driving	Unknown	Unknown	Unknown
<u>Revenue</u> - Cities Reinstatement Fees (15%)	Unknown	Unknown	Unknown
<u>Revenue</u> - Counties Reinstatement Fees (10%)	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT TO THE LOCAL POLITICAL SUBDIVISIONS	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

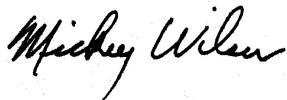
FISCAL DESCRIPTION

Currently, only drivers under the age of 21 and drivers of commercial motor vehicles are prohibited from using hand-held cell phones to send, read, or write text messages or electronic messages. Drivers of commercial motor vehicles are further prohibited from using hand-held cell phones to make telephone calls. This proposal expands the ban on use of hand-held cell phones to all drivers for the purposes of both sending, reading, or writing text messages or electronic messages and making telephone calls. Cell phones are permitted to be used by drivers in a hands-free or voice activated mode, which includes the use of a headset.

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 Public Safety
Department of Transportation
Department of Revenue
Office of the State Courts Administrator



Mickey Wilson, CPA
Director
January 16, 2015

Ross Strobe
Assistant Director
January 16, 2015