

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1071-01
Bill No.: SB 196
Subject: Highway Patrol; Motor Vehicles; Public Safety Department
Type: Original
Date: March 30, 2015

Bill Summary: This proposal bans the use of automated license plate reader systems and automated traffic enforcement systems and restricts storage and use as evidence of data collected prior to enactment.

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
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 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	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol** and the **Office of the State Courts Administrator** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Columbia Police Department** assume no direct fiscal impact from the proposal. The indirect impact would result from investigations that may take longer and requires more over-time to gather facts that could have been aided by license plate readers (LPR). This would be difficult to quantify.

Officials from the **City of St. Louis** state should this legislation pass, the City of St. Louis would lose approximately \$3.5 million in revenue annually. Automated traffic enforcement systems have been utilized effectively in the City to monitor intersections with high amounts of traffic and susceptibility toward traffic accidents. The cost of monitoring is paid through a portion of the fines imposed on those who violate traffic ordinances at these intersections. Elimination of the fine revenue would have a significant negative impact, resulting in the loss of approximately \$3.5 million in net revenue annually, in addition to losing the source of funding for this public safety monitoring system.

Officials from the **City of Kansas City** state this legislation will have no fiscal impact regarding any revenues to the City. Kansas City is not currently issuing traffic citations pursuant to the automated traffic enforcement systems, that would be prohibited by this legislation, because of the uncertain legality of using such automated traffic enforcement systems to issue traffic citations. However, if the Missouri Supreme Court should rule on the cases currently before the Court in a manner that would allow the Kansas City to put its automated traffic enforcement systems (i.e. its red light cameras) back in service and Kansas City proceeded to put such cameras back in service, then this legislation would have a negative fiscal impact on Kansas City because such legislation's proposed prohibition of automated traffic enforcement systems would cost Kansas City approximately \$2.5 million annually in fine revenues.

Officials from the **Boone County Sheriff's Department** state if this legislation passes, it sounds as though LPR systems already existing will be able to continue to be utilized. Costs incurred however, will be related to additional time spent by investigators to obtain a court order to access our own data. Approximately 2 hours per search warrant will be necessary at a rate of approximately \$23/hour. It is unknown how many search warrants we will have to write to obtain our own data, that will be on a per case basis, but it will be significant.

ASSUMPTION (continued)

Also, should we lose the ability to continue using our LPR systems, below is the financial investment breakdown in our LPR program so far. The total loss from the information below is \$241,577:

- 4 LPR car (mobile) systems from COPS Tech Grant = \$79,620;
 - Fixed Site LPR project = \$54,422;
 - Original 4 LPR cars (includes 2 at CPD) = \$83,520;
 - LPR Server software = \$912;
 - LPR Server hardware = \$5,053;
 - Replacement system purchased in 2014 = \$18,050
- \$241,577

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
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LOCAL POLITICAL SUBDIVISIONS

<u>Loss</u> - Potential loss of revenue from traffic law enforcement (red-light cameras and speed cameras)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
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<u>Costs</u> - potential additional cost of law enforcement without the use of LPRs	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
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ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
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FISCAL IMPACT - Small Business

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

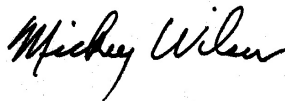
FISCAL DESCRIPTION

Currently, there are no regulations for automated license plate reader systems or automated traffic enforcement systems. This act bans the use of all automated license plate reader systems and automated traffic enforcement systems by government entities. It allows for a thirty day grace period to request preservation of data currently in existence after the enactment of the ban only under a warrant or a preservation request submitted to a court of competent jurisdiction.

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 - Missouri Highway Patrol
Office of the State Courts Administrator
City of St. Louis
City of Kansas City
Boone County Sheriff's Department
Columbia Police Department



Mickey Wilson, CPA
Director
March 30, 2015

Ross Strobe
Assistant Director
March 30, 2015