

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1885-02  
Bill No.: SB 419  
Subject: Attorney General; Civil Rights; Highway Patrol; Law Enforcement Officers and Agencies; Licenses - Motor Vehicle; Motor Vehicles; Department of Revenue; Search and Seizure  
Type: Original  
Date: March 15, 2017

Bill Summary: This proposal requires inclusion of information on traffic stops and constitutional rights in driver training programs and information provided to first-time license recipients.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<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 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</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 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Department of Revenue (DOR)** assume §302.025, requires all driver training programs to include instruction on traffic stop etiquette, and information provided by the Department pursuant to §302.176. Driver training programs are defined to include private driver education programs as well as instruction by those teaching under Department of Elementary and Secondary Education (DESE) certification.

In §301.176, this proposal requires the Department to provide all first-time licensees information on law enforcement procedures for traffic stops; proper interaction by drivers on traffic stops; constitutional rights of drivers for traffic stops, including legal rights in regard to search and seizure, the right to remain silent; and the right to an attorney. The Department is to promulgate rules to administer these requirements, in consultation with the Missouri State Highway Patrol and the Office of the Attorney General.

To implement these provisions the Department will be required to:

- Update the Department's website information;
- Develop a brochure for printing and mailing upon request;
- Work with OA-ITSD to program changes to the MEDL system and supporting applications. This would make changes to a current one-page front and back brochure required by §302.176, to a two-page front and back brochure;
- Complete business decision documents;
- Complete user acceptance testing of required system changes; and
- Update Uniformed License Issuance Manual (ULIM)

### Additional License Office Printing Costs

Missouri Electronic Drive License system (MEDL) currently prints a one-page front and back brochure for all new applicants pursuant to §302.176 on the dangers of operating a motor vehicle while in an intoxicated or drugged condition. This change would require more information to be distributed to the applicants, making this a two-page front and back brochure.

Total CDL New Applicants	20,959
Total Non-CDL New Applicants	<u>234,204</u>
<b>Total New Applicants</b>	<b>255,163</b>

ASSUMPTION (continued)

Increased paper costs

255,163 additional pages printed  
One case of paper has 5,000 sheets at \$15 per case  
 $255,163/5000 = 52$  additional cases of paper needed  
 $52 \times \$15 = \mathbf{\$780}$

Increased toner costs

255,163 additional pages printed front and back  $255,163 \times 2 = 510,326$   
One toner cartridge costs \$123 yielding 9,000 pages  
 $510,326/9,000 = 57$  additional toner cartridges needed  
 $57 \times \$123 = \mathbf{\$7,011}$

Driver License Bureau (DLB)

FY 2018

Personal Service Bureau

Update Webpage - Administrative Analyst III	80 hrs @ \$22.59 = \$1,807
Modify Procedures – Management Analysis Spec I	80 hrs @ \$20.94 = \$1,675
Develop new brochure- Management Analysis Spec I	24 hrs @ 20.94 = \$ 503
	Total = \$3,985

The Department of Revenue currently has multiple informational brochures; therefore the estimated printing costs for the new brochure would be based on a cost of \$380 for 2,100 documents. Postage cost is \$0.49 and envelopes are \$0.040 per mailing. There are no statistics available for the amount of documents, postage and printing, therefore the cost incurred is unknown.

Driver License Bureau

Requirements, procedure development and user acceptance testing:

Administrative Analyst II –	240 hrs @ \$19.43 per hr =	\$4,663
Management Analyst Spec. II –	250 hrs @ \$23.61 per hr =	\$5,903
Revenue Band Manager Band II -	20 hrs @ \$30.59 per hr =	\$ 612
	Total =	\$11,178

Officials at the **Office of Administration's Information Technology Service Division (OA-ITSD)** assume this would cost \$13,284 to make the upgrades to the system (177.12 hrs x \$75 = \$13,284).

ASSUMPTION (continued)

**Oversight** will not show any costs to upgrade the brochures and computer programs. Oversight notes DOR is provided with core funding to handle a certain amount of procedure updating and computer programming activity each year. Oversight assumes that if a limited number of bills pass, DOR may be able to absorb the costs related to this proposal. Should more changes bills pass then they can seek additional funding through the appropriation process.

Officials at the **Department of Elementary and Secondary Education (DESE)** assume there is no fiscal impact from this proposal to the Department. DESE defers to the school districts for impact.

Officials at the **Missouri Highway Patrol** assume there is no fiscal impact from this proposal.

Officials at the **Everton, Kansas City, Kirksville R-III and West Plains** school districts each assume there is no fiscal impact from this proposal to their respective districts.

Officials at the **Joint Committee on Administrative Rules** assume there is no fiscal impact from this proposal.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. 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. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**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.

Officials at the following school districts: Arcadia Valley R-2, Avilla R-13, Bakersfield, Belton, Benton County R-2, Bismark R-5, Bloomfield R-14, Blue Springs, Bolivar R-I, Bowling Green R-1, Branson, Brentwood, Bronaugh R-7, Campbell R-2, Carrollton R-7, Caruthersville, Central R-III, Chilhowee R-4, Chillicothe R-II, Clarkton C-4, Cole R-I, Columbia, Concordia R-2,

ASSUMPTION (continued)

Crawford County R-1, Crocker R-II, Delta C-7, East Carter R-2, Eldon R-I, Fair Play, Fayette R-3, Forsyth R-3, Fox C-6, Fredericktown R-I, Fulton, Grain Valley, Hancock Place, Hannibal, Harrisonburg R-8, Harrisonville, Hillsboro R-3, Hollister R-5, Humansville R-4, Hurley R-1, Independence, Jefferson City, Kearney R-1, Kennett #39, King City R-1, Kingston 42, Kirbyville R-VI, Lee Summit, Leeton R-10, Lewis County C-1, Lincoln R-II, Lindbergh, Lonedell R-14, Macon County R-1, Malta Bend, Mehville, Meramec Valley R-3, Mexico, Middle Grove C-1, Midway R-1, Milan C-2, Moberly, Monroe City R-I, Morgan County R-2, New Haven, Nixa, North Kansas City, North St. Francois Co. R-1, Northeast Nodaway R-5, Odessa R-VII, Oregon-Howell R-III, Orrick R-11, Osborn R-0, Parkway, Pattonville, Pettis County R-12, Pierce City, Plato R-5, Princeton R-5, Raymore-Peculiar R-III, Raytown, Reeds Springs R-IV, Renick R-5, Republic R-III, Richards R-V, Richland R-1, Richmond R-XVI, Riverview Gardens, Salisbury R-4, Sarcoxie R-2, Scotland County R-I, Sedalia, Seymour R-2, Shell Knob #78, Sikeston, Silex, Smithville R-2, Special School District of St. Louis County, Spickard R-II, Springfield, St Joseph, St Louis, St. Charles, St. Elizabeth R-4, Sullivan, Valley R-6, Verona R-7, Warren County R-3, Warrensburg R-6, Waynesville, Webster Groves, Wentzville, Westview C-6 and the Wright City R-2 school districts did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2018 (10 Mo.)	 FY 2019	 FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Potential economic impact on private driver instruction businesses and license offices.

FISCAL DESCRIPTION

This act provides that all driver training programs shall include instruction concerning law enforcement procedures for traffic stops and basic constitutional rights.

This act also requires the Department of Revenue to provide first-time license recipients with similar information.

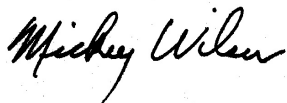
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Economic Development  
Department of Revenue  
Everton School District  
Joint Committee on Administrative Rules  
Kansas City Public Schools  
Kirksville R-III School District  
Missouri Highway Patrol  
Office of Administration  
    Information Technology Services Division  
Office of the Secretary of State  
West Plains School District

**Not Responding**

Office of the Attorney General



Mickey Wilson, CPA  
Director  
March 15, 2017

Ross Strope  
Assistant Director  
March 15, 2017