

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4266-02
Bill No.: SB 662
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: December 19, 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

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|--|------------|------------|------------|
| FUND AFFECTED | FY 2019 | FY 2020 | FY 2021 |
| | | | |
| Total Estimated Net Effect on General Revenue | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2019 | FY 2020 | FY 2021 |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 6 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2019 | FY 2020 | FY 2021 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2019 | FY 2020 | FY 2021 |
| | | | |
| | | | |
| 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 2019 | FY 2020 | FY 2021 |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Department of Revenue (DOR)** assume the following regarding this proposal:

§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 defined to include private driver education programs as well as instruction by those teaching under Department of Elementary and Secondary Education (DESE) certification.

§302.176

Requires the Department to provide all first-time licensees information on law enforcement procedures for traffic stops, including; proper interaction by drivers on traffic stops; and constitutional rights of drivers for traffic stops, including legal rights related 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;
- Develop a brochure for posting to the Department website for printing by applicant;
- Work with OA-ITSD regarding program changes to the MEDL system and supporting applications to generate the additional proposed information page;
- Complete business decision documents;
- Complete user acceptance testing of required system changes;
- Update the Uniformed License Issuance Manual (ULIM); and
- Work with Missouri State Highway Patrol (MSHP) to develop a new Administrative Rule in regards to information to be distributed as allowed by the proposed language.

Administrative Impact

FY 2019 - Personnel Services Bureau

| | | |
|----------------------------|----------------------------|------------------|
| Administrative Analyst III | 80 hrs. @ \$19.43 per hr. | = \$1,554 |
| Management Analysis Spec I | 104 hrs. @ \$18.42 per hr. | = <u>\$1,916</u> |
| Total | | = \$3,470 |

ASSUMPTION (continued)

FY 2019 - Driver License Bureau

| | | |
|-----------------------------|----------------------------|------------------|
| Administrative Analyst II | 240 hrs. @ \$17.13 per hr. | = \$4,111 |
| Management Analysis Spec II | 270 hrs. @ \$20.57 per hr. | = \$5,554 |
| Revenue Manager Band I | 60 hrs. @ \$25.05 per hr. | = <u>\$1,503</u> |
| Total | | \$11,168 |

Total Costs **\$14,638**

OA-ITSD services will be required at a cost of **\$13,284** (177.12 hours x \$75 per hour) in FY 2019.

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.

Officials from the **Attorney General's Office (AGO)** assume that any potential costs arising from this proposal can be absorbed with existing resources. AGO may seek additional appropriations if there is a significant increase in litigation.

Officials from the **Department of Public Safety - Missouri Highway Patrol** assume the proposal will have no fiscal impact on their organization.

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.

ASSUMPTION (continued)

Officials from the **Joint Committee on Administrative Rules** state that the proposal is not anticipated to cause a fiscal impact to their agency beyond its current appropriation.

Officials at the **Department of Elementary and Secondary Education** defer to local school districts for the fiscal impact of this proposal.

Officials from the **Northeast Nodaway R-V Schools, Summersville R-2 School District, Kirksville R-III Schools** and **West Plains Schools** each assume the proposal will have no fiscal impact on their respective organizations.

| <u>FISCAL IMPACT - State Government</u> | FY 2019 (10 Mo.) | FY 2020 | FY 2021 |
|---|---------------------|------------|------------|
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

| <u>FISCAL IMPACT - Local Government</u> | FY 2019 (10 Mo.) | FY 2020 | FY 2021 |
|---|---------------------|------------|------------|
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

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

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

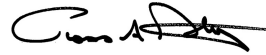
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Revenue
Department of Elementary and Secondary Education
Attorney General's Office
Office of the Secretary of State
Joint Committee on Administrative Rules
Department of Public Safety - Missouri Highway Patrol
Northeast Nodaway R-V Schools
Summersville R-2 School District
Kirksville R-III Schools
West Plains Schools

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December 19, 2017



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