

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0420-01
Bill No.: SB 30
Subject: Civil and Criminal Procedures; Liability; Courts; Transportation
Type: Original
Date: February 4, 2019

Bill Summary: This proposal allows evidence of failure to wear a seatbelt to prove comparative negligence or to mitigate damages.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
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 2020	FY 2021	FY 2022
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the Attorney General**, the **Department of Revenue**, the **Missouri Department of Transportation** and the **Office of the State Courts Administrator** each assume there is no fiscal impact from this proposal.

Oversight notes that the Office of the Attorney General, the Department of Revenue, the Missouri Department of Transportation and the Office of the State Courts Administrator each has stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

Oversight assumes the change in Section 307.178 may have consequences on local political subdivisions (school districts, cities, and/or counties) by changing the definition “passenger car” from motor vehicles designed for carrying 10 persons or less to 15 persons or less. Oversight is unsure if this would then include some small school buses, trolley cars, specialized mass transit vehicles, etc.). Therefore, Oversight will reflect a \$0 or Unknown potential loss to political subdivisions.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
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POLITICAL SUBDIVISIONS

<u>Loss</u> - expanding the definition of “passenger car” from motor vehicles designed for carrying 10 persons to 15 persons	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
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ESTIMATED NET EFFECT TO POLITICAL SUBDIVISIONS	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(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

Under current law in any civil action to recover damages, failure to wear a safety belt is not allowed as evidence of comparative negligence, but may be introduced to mitigate damages. This act provides that in actions arising out the design, construction, manufacture, distribution, or sale of a passenger car, failure to wear a safety belt by the plaintiff may be admissible for any purpose.

The act also changes the definition of the term "passenger car" to mean every motor vehicle designed for carrying fifteen persons or less, rather than ten persons or less.

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

Office of the Attorney General
Department of Revenue
Missouri Department of Transportation
Office of the State Courts Administrator



Kyle Rieman
Director
February 4, 2019

Ross Strobe
Assistant Director
February 4, 2019