

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0495S.01I
 Bill No.: SB 28
 Subject: Highway Patrol; Public Records, Public Meetings; Roads and Highways
 Type: Original
 Date: January 23, 2023

Bill Summary: This proposal modifies provisions relating to access to public records of the Missouri Highway Patrol.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2031)
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2031)
Highway Patrol Traffic Records Fund (0758)*	\$0 to \$250	\$0 to \$25,250	\$0 to \$30,250	\$0 to \$120,250
Total Estimated Net Effect on Other State Funds	\$0 to \$250	\$0 to \$25,250	\$0 to \$30,250	\$0 to \$120,250

*The MHP is allowed to increase certain fees by \$1 every other year up to a maximum fee of ten dollars. The proposal is permissive (may); therefore, Oversight reflects the impact as "\$0 to".

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2031)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2031)
Total Estimated Net Effect on FTE	0	0	0	\$0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2031)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§43.253 – Fees paid to the Missouri State Highway Patrol

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume this legislation would add language to §43.253, RSMo, to allow the MHP to charge a minimum fee of \$6 to disseminate records requests. The proposal does not mandate a minimum \$6 fee be imposed; it simply allows for such. Allowing a minimum \$6 fee for duplication of records disseminated upon request would authorize the Patrol to raise the crash report fee from the current price of \$5.99 to \$6.00. The Superintendent of the Missouri State Highway Patrol would be allowed to increase the minimum fee described in this section by not more than one dollar every other year following this section's effective date, up to a maximum of ten dollars. The Patrol Records Division disseminates approximately 30,000 crash reports per year. Fees for this service are collected and deposited into the Traffic Records Fund (0758).

Any funding increase realized by the Traffic Records Fund will be reinvested in an electronic report dissemination software. This enhancement will allow individuals to request, purchase, and receive records requests through an electronic portal.

Oversight notes the increased revenue could be realized if fees are increased to their maximum allowable amount (every other year):

FY24 Based on 10/12 rule
Traffic Crash Reports
(30,000 x .08333 =) 25,000 traffic crash reports x \$.01 fee increase (**fee at \$6**) = \$250

FY25 Based on 10/12 rule
Traffic Crash Reports
(30,000 x .08333 =) 25,000 traffic crash reports x \$1 increase (**fee at \$7**) = \$25,000

FY26 Traffic Crash Reports
30,000 x \$1 increase (**fee at \$7**) = \$5,000 [Full year (\$30,000 - \$25,000)]

FY27 Traffic Crash Reports
30,000 x \$1 increase (**fee at \$8**) = \$30,000

FY29 Traffic Crash Reports
30,000 x \$1 increase (**fee at \$9**) = \$30,000

FY31 Traffic Crash Reports
30,000 x \$1 increase (**fee at \$10**) = \$30,000

Oversight notes the increase in fees will result in the revenue from these fees compounding over the years from FY24 through FY31 as shown below:

$$\$250 \text{ (FY24)} + \$25,000 \text{ (FY25)} + \$5,000 \text{ (FY26)} + 30,000 \text{ (FY27)} + \$30,000 \text{ (FY29)} + \$30,000 \text{ (FY31)} = \$120,250 \text{ (Traffic Fund)}$$

Oversight also notes the revenue presented for FY31 was determined under the assumption that the MHP will increase the minimum fee as outlined in this proposal (additional \$1 every other year).

However, because this proposal is permissive, Oversight will range the revenue from \$0 (no increase in fees) to the estimate of \$120,250 (fee not to exceed \$10) to the Highway Patrol Traffic Records Fund for fiscal note purposes.

<u>FISCAL IMPACT</u> – State Government	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2031)
HIGHWAY PATROL TRAFFIC RECORDS FUND (0758)				
<u>Revenue – MHP</u> (\$43.253) Fees from records request	<u>\$0 to \$250</u>	<u>\$0 to \$25,250</u>	<u>\$0 to \$30,250</u>	<u>\$0 to \$120,250</u>
ESTIMATED NET EFFECT ON THE HIGHWAY PATROL TRAFFIC RECORDS FUND	<u>\$0 to \$250</u>	<u>\$0 to \$25,250</u>	<u>\$0 to \$30,250</u>	<u>\$0 to \$120,250</u>

<u>FISCAL IMPACT</u> – Local Government	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2031)
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

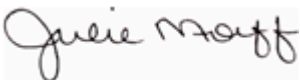
This act provides that a minimum fee of \$6 may be charged by the Missouri State Highway Patrol for any request where there are allowable fees of less than \$6. Such \$6 fee shall be in place of any allowable fee of less than \$6.

The Superintendent of the Missouri State Highway Patrol may increase the minimum fee by not more than \$1 every other year following August 28, 2024. The minimum fee shall not exceed \$10.

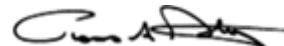
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety - Missouri Highway Patrol



Julie Morff
Director
January 23, 2023



Ross Strobe
Assistant Director
January 23, 2023