

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 2539-01
BILL NO.: SB 578
SUBJECT: Motor Vehicle; Crimes and Punishments; Alcohol
TYPE: Original
DATE: December 29, 1999

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Highway Fund	(\$25,714)	\$29,339	\$27,386
Total Estimated Net Effect on <u>All</u> State Funds	(\$25,714)	\$29,339	\$27,386

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Cities	\$9,545	\$21,391	\$21,391
County Aid Road Fund	\$6,363	\$14,261	\$14,261

Numbers within parentheses: () indicate costs or losses
This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Public Safety - Missouri State Highway Patrol and Office of Prosecution Services** assume this proposal would have no fiscal impact to their agencies.

In response to previous versions of this proposal, officials of the **Office of the Attorney General** assumed this proposal would have no fiscal impact to their agency.

Officials of the **State Public Defender (SPD)** assume that existing staff could provide representation for those 50 - 75 cases arising where indigent persons were charged with "driving while intoxicated at .08%." However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover the cumulative cost of representing the indigent accused.

Officials of the **Department of Revenue's (DOR) Drivers License Bureau** assume this proposal would result in an increase in the number of administrative duties associated with DWI arrest caseloads and convictions. This increase in caseload documentation would require four (4) hours of Clerk Typist II overtime per day at \$14.03 per hour, for a total cost of \$14,591 per year. In addition, the license bureau would incur additional postage costs of \$1,600 in FY 2001 and \$1,950 in FY 2002 and 2003. **Oversight** assumes the additional clerk typist duties could be absorbed with existing resources.

Officials from the **Department of Revenue's (DOR) General Counsel's Office** assume the provisions of this proposal would result in additional administrative hearings, trial-de-novo's and Court of Appeal hearings as the volume of suspended and revoked drivers will increase. The Office of the General Counsel would require two (2) Assistant Counsel FTE and one (1) Clerk Typist II FTE to handle DOR legal issues and challenges associated with this proposal. **Oversight** assumes that the number of additional hearings would be minimal and could be handled with one General Counsel and one Clerk Typist II. The costs to DOR have been adjusted accordingly.

Missouri law mandates that a \$45 reinstatement fee be paid prior to the driving privilege reinstatement following an alcohol related suspension or revocation. For purposes of this fiscal note, it is assumed the reinstatement fee would not be received until after the 90 day suspension and the one year revocation periods have ended. It is projected there will be a total of 1,414 reinstatement fees received, at \$45 each, in FY 2001, for a projected revenue amount of \$63,630. The projected reinstatement fees to be received in FY 2002 and 2003 are 3,169, at \$45 each, for a total revenue amount of \$142,605 annually.

ASSUMPTION (continued)

Officials of the **State Courts Administrator (CTS)** would anticipate an increase in the number of DWI and BAC cases filed as a result of this proposal. CTS officials would not expect a significant impact on the judicial budget.

Officials of the **Missouri Department of Transportation (MoDOT)** stated that this proposal would not fiscally impact their agency. However, according to the National Highway Traffic Safety Administration, a state must pass a .08 BAC law in order to be eligible for additional federal funding that could be used for highway safety or highway construction programs. This .08 BAC law must replace either the .10 BAC laws on the books or be the threshold for a determination of a DWI. The federal funding available depends on the number of eligible states. The total amount authorized for such grants is \$90 million in FY 2001, \$100 million in FY 2002, and \$110 million in FY 2003.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
HIGHWAY FUND			
<u>Income - Department of Revenue</u>			
Reinstatement fees	\$47,723	\$106,854	\$106,854
<u>Cost - Department of Revenue(DOR)</u>			
Personal Service (2 FTE)	(\$45,500)	(\$57,364)	(\$58,798)
Fringe Benefits	(\$13,991)	(\$17,639)	(\$18,080)
Expense and Equipment	(\$13,946)	(\$2,612)	(\$2,690)
Total <u>Costs</u> - DOR	(\$73,437)	(\$77,615)	(\$79,568)
ESTIMATED NET EFFECT ON HIGHWAY FUND	<u>(\$25,714)</u>	<u>\$29,339</u>	<u>\$27,386</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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LOCAL

Income - Cities

Reinstatement Fees	\$9,545	\$21,391	\$21,391
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<u>FISCAL IMPACT - Local Government (continued)</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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LOCAL

Income - County Aid Road Trust Fund

Reinstatement Fees	\$6,363	\$14,261	\$14,261
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**ESTIMATED NET EFFECT ON
LOCAL FUNDS**

<u>\$15,908</u>	<u>\$35,652</u>	<u>\$35,652</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.

DESCRIPTION

This proposal would lower the legal blood alcohol content limit to eight hundredths of one percent (.08) for administrative DWI and other alcohol related traffic offenses.

This legislation is federally mandated under the Transportation Equity Act for the 21st Century Restoration Act which requires states to enact Repeat Intoxicated Drivers Laws. It would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Revenue
Department of Public Safety - Missouri State Highway Patrol
Missouri Department of Transportation
State Courts Administrator
Office of the Attorney General
Office of Prosecution Services
State Public Defender



Jeanne Jarrett, CPA
Director
December 29, 1999