

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 3366-01
BILL NO.: SB 782
SUBJECT: Motor Vehicles; Repeat Alcohol-Related Traffic Offenders
TYPE: Original
DATE: January 25, 2000

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON STATE FUNDS | | | |
|---|--------------------------|------------|------------|
| FUND AFFECTED | FY 2001 | FY 2002 | FY 2003 |
| Highway Fund | \$0 to (\$50,000) | \$0 | \$0 |
| | | | |
| Total Estimated Net Effect on <u>All</u> State Funds | \$0 to (\$50,000) | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2001 | FY 2002 | FY 2003 |
| None | \$0 | \$0 | \$0 |
| | | | |
| 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 |
| Local Government | \$0 to (Unknown) | \$0 to (Unknown) | \$0 to (Unknown) |

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

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Transportation, Office of Prosecution Services** and the **Missouri Highway Patrol** assume no fiscal impact on their departments.

The **Department of Revenue (DOR)** assume this proposal allows courts to issue an ignition interlock for a person who is found guilty of, or pleads guilty to, a first intoxication-related traffic offense. In addition, the proposal requires the court to issue an ignition interlock to any person who is found guilty of, or pleads guilty to, a second or subsequent intoxication related traffic offense. The person shall not operate, **or own** any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device. The program, as currently written and tracked by DOR, only tracks drivers with ignition interlock devices. This proposal would now include tracking the issuance of ignition interlock devices on the registration statements of owners of vehicles. If the intent of the proposal is to track drivers and owners of vehicles that have been issued ignition interlock devices, then DOR would require modifications to the court ordered ignition interlock form and modifications to the FASTR system (Field Audit System for Titling and Registrations). These programming modifications will have to made by the current contract vendor, Revenue Systems Incorporated, (RSI). Although DOR assumes this proposal will result in a minimal increase in the volume of court orders received, modifications to the FASTR system is unknown. It is anticipated that these costs will not exceed \$50,000.

Oversight has ranged the programming costs to DOR from \$0 to \$50,000 in FY2001 depending on whether DOR must make programming modification to the FASTR system to track the issuance of ignition interlock devices on the vehicle registration statements.

Officials from the **State Courts Administrator (CTS)** stated the proposed legislation would further restrict issuance of a limited driving privilege, expand the number of days of community service that must be served before probation or parole is granted in DWI cases, increase the amount of jail time if community service is not performed, and expand the requirements relating to ignition interlock devices. There may some impact on the local jail population, and an increase in the number of driving while suspended or revoked cases. CTS officials would not expect a significant impact on the budget of the judiciary.

Officials of the **State Public Defender (SPD)** assume that existing staff could provide representation for those 50-75 cases arising where the indigent persons were charged with repeat alcohol offenses. However, because of the increased penalties for prior and persistent offenders more clients will want to take their chances in court rather than plea. Therefore, the Public Defender System will required to dispose of more cases via trial rather than pleas. Trials are

ASSUMPTION (continued)

much more labor intensive and require more attorney time. 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 in additional cases or the indigent persons looking at increased penalties.

Officials from the **Department of Corrections (DOC)** assume the impact of this proposal would be minimal and could be absorbed with existing resources.

Oversight assumes this proposal could result in increased jail time if community service is not performed. However, Oversight assumes most violators would opt for community service versus the service of additional jail time and therefore has ranged the costs from \$0 to (unknown).

| <u>FISCAL IMPACT - State Government</u> | FY 2001 (10 Mo.) | FY 2002 | FY 2003 |
|---|--|-------------------|-------------------|
| HIGHWAY FUND | | | |
| <u>Costs - Department of Revenue</u> | | | |
| Programming changes to FASTR | \$0 to (\$50,000) | \$0 | \$0 |
| ESTIMATED NET EFFECT TO HIGHWAY FUND | <u>\$0 to</u> <u>(\$50,000)</u> | <u>\$0</u> | <u>\$0</u> |

| <u>FISCAL IMPACT - Local Government</u> | FY 2001 (10 Mo.) | FY 2002 | FY 2003 |
|---|---|---|---|
| POLITICAL SUBDIVISIONS | | | |
| <u>Cost - Local Jails</u> | | | |
| Increased jail time | \$0 to (Unknown) | \$0 to (Unknown) | \$0 to (Unknown) |
| ESTIMATED NET EFFECT TO POLITICAL SUBDIVISIONS | <u>\$0 to</u> <u>(Unknown)</u> | <u>\$0 to</u> <u>(Unknown)</u> | <u>\$0 to</u> <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.

DESCRIPTION

This proposal eliminates the ability of any prior or persistent alcohol offender to obtain a hardship license. The act also extends the period of imprisonment or community service for repeat offenders to be eligible for parole or probation, and requires the use of an ignition interlock device during probation for second or subsequent intoxication-related traffic offenses.

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 Transportation
Department of Revenue
State Courts Administrator
State Public Defender
Department of Corrections
Missouri Highway Patrol
Office of Prosecution Services



Jeanne Jarrett, CPA
Director
January 25, 2000