

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 161-02
BILL NO. SB 503
SUBJECT: Automated Photo-Traffic Enforcement Program
TYPE: Original
DATE: February 23, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
State Schools Money Fund	\$0	\$0	\$0
Highway	(\$8,965)	(\$10,764)	(\$10,764)
Total Estimated Net Effect on <u>All</u> State Funds	(\$8,965)	(\$10,764)	(\$10,764)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local School Districts	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown

Municipal Court Systems	\$0	\$0	\$0
Total Estimated Net Effect on Local Funds	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown

Numbers within parentheses: () indicate costs or losses
 This fiscal note contains 6 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Revenue - Driver and Vehicle Services Bureau** assume that 10 cities or counties would initially adopt ordinances implementing automated traffic enforcement systems. Officials assume that local law enforcement agencies would use their local systems for the initial search in order to determine the appropriate owners of vehicles. Officials assume that approximately 10% of the searches would be done by DOR due to errors in the system. Officials assume there would be 250 citations issued per day of which 10% or 9125 record searches annually would be done by DOR. Officials assume to process the “no record” searches would require 1,095 hours of overtime. Officials estimated based on the hourly rate of a Clerk Typist II, which is \$9.83 that for 10 months of FY 2002 the amount of overtime requested would be \$8,965; and estimate overtime for FY 2003 and 2004 at \$10,764. **Officials noted that if law enforcement agencies require DOR to complete record searches on every citation issued the Driver and Vehicle Services Bureau would require 5.5 FTE.**

The **Office of State Courts Administrator (CTS)** assumes that to the extent that an automated system would increase the number of speeders apprehended, there would be an increase in the workload of the courts in counties where an automated system is installed. However, the CTS does not expect the costs to exceed \$100,000 in any given year.

Officials of the **Missouri Department of Transportation and the Department of Public Safety- Highway Patrol** assume this proposal would have no fiscal impact to their department.

Officials of the **Office of Director of Administration for St. Louis County** stated this is enabling legislation and would have no fiscal impact on St. Louis County.

ASSUMPTION (continued)

In response to similar legislation, (SB 199), the following political subdivisions submitted their fiscal impact statements:

The **City of Independence Police Department** estimates, if their city were to implement an automated traffic system, they would realize income of approximately \$5,132,814 for systems at 3 intersections. The computations assumed 25 violations per day, and assumed a fine of \$75 per violation. The time frame used was for 2.5 years. Officials estimated costs for 3 systems at \$1,500,000 annually with maintenance costs of \$375,000 for 2.5 years. Officials also stated that their department would realize annual savings in manpower estimated at \$112,500. They assume there would be a reduction of 75 crashes annually with a savings of \$7,500,000 from injury, property damage, and emergency personnel.

The **Cities of Mexico, Springfield, West Plains, St. Charles, and Chesterfield** assume that since the language is permissive the cities would incur no costs unless each city opts to implement such a program.

Oversight assumes that given the permissive language of the proposal that any city or county could, by ordinance, establish such a program. Income has been shown to the municipal court systems as well as to the State School Moneys Fund because municipal systems retain fines if the offense is not a state offense and certain cities with municipal systems retain revenue generated from fines. Income from court costs in addition to the fines has been shown to the municipal court systems to offset the costs of additional filings and trials, resulting in a net fiscal impact of zero to the municipal court systems. However, local school districts would still receive income disbursed from the State School Moneys Fund which would be fine money received from circuit or associate circuit court cases.

<u>FISCAL IMPACT - State Government</u>	FY 2002	FY 2003	FY 2004
	(10Mo.)		
HIGHWAY FUND			
Cost to Department of Revenue from overtime cost for record searches.	(\$8965)	(\$10,764)	(\$10,764)

<u>FISCAL IMPACT - State Government</u>	FY 2002	FY 2003	FY 2004
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(10Mo.)

STATE SCHOOL MONEYS FUND

Income

Fines from Photo-Based Traffic Monitoring	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
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Costs

Disbursement to Local School Districts	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
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**ESTIMATED NET EFFECT ON
STATE SCHOOL MONEYS FUND**

\$0 \$0 \$0

FISCAL IMPACT - Local Government

FY 2002 (10 Mo.)	FY 2003	FY 2004
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Income-Local School Districts

Fines from Photo-Based Traffic Monitoring	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
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Income-Municipal Court Systems

Fines from Photo-Based Traffic Monitoring	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
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Income-Municipal Court Systems

Court Costs	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
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Costs-Municipal Court Systems

Additional filings/trials	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
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Costs

Automated Photo-Traffic Equipment	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>
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**ESTIMATED NET EFFECT ON
LOCAL FUNDS**

**\$0 to \$0 to \$0 to
Unknown Unknown Unknown**

FISCAL IMPACT - Small Business

This proposal would not have a direct fiscal impact on small businesses.

DESCRIPTION

This act authorizes cities and first classification counties to establish an automatic traffic light signal violation monitoring system. If a city or county passes an ordinance to implement such a system, then the city or county may enter into an agreement with a private entity to provide the equipment and other services related to the system.

A person will held liable for running a red light if the photos from the system show that the vehicle in question ran the light together with proof that the defendant was the owner, lessee or renter of the vehicle when the violation occurred. These two pieces of evidence shall constitute a rebuttable presumption that the owner is guilty of running a red light. Once a photograph is taken of the violation, a summons will be issued to the registered owner of the vehicle. The summons will be sent by 1st class mail to the most recent address of the owner within 21 days of the violation. The summons will instruct the owner of how to pay or contest the violation.

The owner of the vehicle may rebut this presumption in three ways:

1. File an affidavit with the court stating he was not the operator of the vehicle when the violation occurred;
2. Testify in court that he was not the operator of the car when the violation occurred;
3. Present evidence that he filed a police report before the violation occurred that his car was stolen.

A person convicted under this act will not be assessed any points against his driver's license. A conviction under the automatic traffic system shall not be used for automobile insurance coverage purposes. Photographic records from the system shall remain confidential.

Before implementing the system, the city or county must make a public announcement 30 days before its official use. The city or county must also place signs in the area using the system to indicate its presence. Photographs from the system may be used in personal injury, wrongful death or property damage claims.

This legislation is not federally mandated, would not duplicate any other program, would not
DESCRIPTION (continued)

require additional capital improvements or rental space and would not impact total state revenue.

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SOURCES OF INFORMATION

Department of Transportation
Department of Revenue
Department of Public Safety
Office of State Courts Administrator
City of Springfield
City of Chesterfield
City of West Plains
City of Mexico
City of St. Charles
City of Independence
Director of Administration of St. Louis County



Jeanne Jarrett, CPA
Director
February 23, 2001