

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2925-01
Bill No.: SB 646
Subject: Crimes and Punishment; Licenses - Driver's; Motor Vehicles.
Type: Original
Date: January 9, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	(Minimal)	(Minimal)	(Minimal)
State School Money	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	(Minimal)	(Minimal)	(Minimal)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	(Minimal)	(Minimal)	(Minimal)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Public Safety - Missouri Division of Highway Safety, Missouri Highway Patrol, Department of Transportation, Department of Insurance, Department of Revenue, Office of Prosecution Services, Department of Mental Health, Office of the State Public Defender** and the **Office of the State Courts Administrator** each responded they assumed there would be no direct fiscal impact to their respective agencies as a result of this proposal.

Officials of the **Department of Health and Senior Services (DOH)** estimated that there will be an increase of approximately 7 additional persons over the age of 20 who would incur head or spinal injuries due to not using motorcycle helmets and would be severely disabled or need extended or rehabilitation care and have either insurance or government insurance. The DOH estimates the average cost per client served by the Bureau of Special Health Care (BSHCN) Needs Adult Head Injury Program to be \$5,000 per year. This proposal change is estimated to cost the DOH \$35,000 (7 x \$5,000) annually. The BSHCN provides statewide service coordination and rehabilitative services to survivors of head injury over the age of 21 who meet medical and financial eligibility requirements. Services include evaluation and assessment of needs, assistance in locating and accessing services available through various state agencies, including the DOH.

The Head Injury Program also provides rehabilitative services such as functional living rehabilitation, day activity rehabilitation, in-home support, personal care service, pre-vocational/pre-employment training, recreation services, transportation, supported employment, community support services, special instruction, physical therapy, occupational therapy, speech therapy, and psychologist/neuropsychologist evaluation for those who meet 185% of poverty income guidelines. If this bill passes, data indicates an additional seven (7) persons would be eligible for the Head Injury Program. Nothing in the statute or regulation requires the DOH to include these individuals in its Head Injury Program.

Officials from the **Department of Social Services, Division of Medical Services (DOS-DMS)** did not respond to our request for fiscal impact. However, in response to similar legislation from a previous year, DOS-DMS assumed this proposal could result in increased costs to the Medicaid Program. Based on the DOH's assumptions that an additional seven people would become uninsured head-injury cases and seek rehabilitative services through the state, DOS-DMS also assumes these same seven individuals would qualify for Medicaid as permanently and totally disabled (PTD) clients. The total costs to the Medicaid program could range from \$0 to \$466,186 annually.

ASSUMPTION (continued)

Oversight assumes as a result of this proposal, some people over 21 would choose not to wear protective headgear. Accordingly, there may be an increase in injuries or the severity of injuries to motorcyclists not wearing protective headgear which may **indirectly** result in increased costs to the state. Oversight assumes no **direct** fiscal impact to state and local governments from the protective headgear exemption part of this proposal.

Regarding the reduction in the fine allowable from \$25 to \$10, **CTS** stated they only have information regarding the number of persons who violated the motorcycle helmet law, and who also were charged with more serious crimes, i.e. misdemeanors. **CTS** states there were only five such offenses in the past year. **CTS** states their records would not include persons who were fined by the various county or municipal courts for this specific violation, but assumed the actual number of offenders would not be many.

Oversight assumes the reduction in the fine that courts are allowed to assess to violators of the motorcycle helmet law from \$25 to \$10 would result in a minimal reduction in fine revenue to the municipalities, counties and local school districts. Oversight assumes that the minimal reduction in fine revenue resulting from this proposal to the local school districts will be replaced by the State through the State School Money Fund (through the General Revenue Fund).

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
GENERAL REVENUE FUND			
<u>Costs</u> - Increased transfers to State School Money Fund	<u>(Minimal)</u>	<u>(Minimal)</u>	<u>(Minimal)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>(Minimal)</u>	<u>(Minimal)</u>	<u>(Minimal)</u>

STATE SCHOOL MONEY FUND

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<u>Income</u> - Increased transfers from General Revenue	Minimal	Minimal	Minimal
<u>Costs</u> - Increased Distributions to School Districts	<u>(Minimal)</u>	<u>(Minimal)</u>	<u>(Minimal)</u>
ESTIMATED NET EFFECT ON THE STATE SCHOOL MONEY FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
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SCHOOL DISTRICTS

<u>Reduction in Revenue</u> - Violations of motorcycle helmet law fine ceilings reduced from \$25 to \$10.	(Minimal)	(Minimal)	(Minimal)
<u>Replacement Revenue</u> - Increased distributions from the State School Money Fund	<u>Minimal</u>	<u>Minimal</u>	<u>Minimal</u>
ESTIMATED NET EFFECT ON SCHOOL DISTRICTS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

LOCAL GOVERNMENTS

<u>Reduction in Revenue</u> - Violations of motorcycle helmet law fine ceilings reduced from \$25 to \$10.	<u>(Minimal)</u>	<u>(Minimal)</u>	<u>(Minimal)</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.

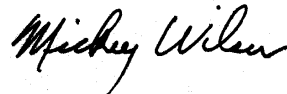
DESCRIPTION

This proposal requires that motorcyclists under 21 years wear helmets. Currently, all motorcyclists are required to wear helmets. The proposal also reduces the fine that may be imposed for failure to wear protective headgear from \$25 to \$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
Division of Highway Safety
Department of Health and Senior Services
Department of Mental Health
Office of the State Courts Administrator
Department of Insurance
Office of Prosecution Services
Office of the State Public Defender
Department of Social Services
Department of Transportation
Department of Revenue



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Director

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