

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO. 4306-02  
BILL NO. SB 1037  
SUBJECT: Automated Photo-Traffic Enforcement Program  
TYPE: Original  
DATE: February 25, 2002

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
State Schools Money Fund	\$0	\$0	\$0
Highway	(\$8,965)	(\$10,764)	(\$10,764)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$8,965)</b>	<b>(\$10,764)</b>	<b>(\$10,764)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local School Districts	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown

Municipal Court Systems	\$0	\$0	\$0
<b>Total Estimated Net Effect on Local Funds</b>	<b>\$0 to Unknown</b>	<b>\$0 to Unknown</b>	<b>\$0 to Unknown</b>

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

---

**FISCAL ANALYSIS**

---

ASSUMPTION

Officials of the **Department of Public Safety- Missouri Highway Patrol** assume no fiscal impact from this proposal.

Officials of the **Office of Prosecution Services** assumes if this proposal encourages more municipal violations, and if the status quo of how traffic violations are handled, there would be no fiscal impact.

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 9,125 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 2003 the amount of overtime requested would be \$8,965; and estimate overtime for FY 2004 and 2005 at \$10,764.

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 **Cities of Springfield, Sedalia, Poplar Bluff, and West Plains,** assume no fiscal impact.

ASSUMPTION (continued)

Officials of the **City of Jefferson** assume this proposal is enabling legislation, and would have no fiscal impact until the City's governing body would install the automated photo-traffic enforcement system. Officials assume if the system were installed, there would be an increase in traffic fines, and there would be the costs of the traffic system and maintenance of the system. Officials assume that income would exceed cost. Officials could not estimate revenue or costs.

**Officials of the following entities submitted responses to similar legislation (Fiscal Note 810-01) of last session:**

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 county and municipal court systems as well as to the State School Moneys Fund because county and 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 state court cases.

**Oversight has prepared this fiscal note to show the fiscal impact should a city or county install an automated traffic system.**

FISCAL IMPACT - State Government                      FY 2003              FY 2004              FY 2005  
(10Mo.)

**HIGHWAY FUND**

Cost to Department of Revenue  
from overtime cost for no record  
searches.    (\$8965)              (\$10,764)              (\$10,764)

**STATE SCHOOL MONEYS FUND**

Income

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

Costs

Disbursement to Local                              \$0 to                      \$0 to                      \$0 to  
School Districts                              (Unknown)                      (Unknown)                      (Unknown)

**ESTIMATED NET EFFECT ON**  
**STATE SCHOOL MONEYS FUND**    \$0    \$0    \$0

FISCAL IMPACT - Local Government                      FY 2003              FY 2004              FY 2005  
(10 Mo.)

Income-Local School Districts

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

Income-County/Municipal Court Systems

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

Income-County/Municipal Court Systems

Court Costs    \$0 to                      \$0 to                      \$0 to  
Unknown    Unknown                      Unknown

FISCAL IMPACT- State Government (continued)

Costs-County/Municipal Court Systems

Additional filings/trials **	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
------------------------------	---------------------	---------------------	---------------------

Costs

Automated Photo-Traffic Equipment	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
-----------------------------------	---------------------	---------------------	---------------------

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS*</b>	<b>\$0 to <u>Unknown</u></b>	<b>\$0 to <u>Unknown</u></b>	<b>\$0 to <u>Unknown</u></b>
---	----------------------------------	----------------------------------	----------------------------------

**\*Oversight assumes that income would exceed costs.**

**\*\*Officials of the Office of State Courts Administrator estimated costs not to exceed \$100,000 annually on a statewide basis.**

FISCAL IMPACT - Small Business

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

DESCRIPTION

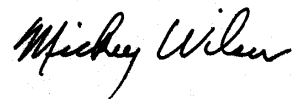
This act authorizes any city or county to establish an "automated traffic enforcement program". The program would use photos taken at traffic signals to identify the vehicle used in a violation. The vehicle owner is presumed to be the violator unless the owner makes out an affidavit as to a different operator of the vehicle. The other person specified in the affidavit is then presumed to be the violator. Private vendors may be used to administer the system, including getting the addresses of the vehicle owners and sending out summonses. The violator may dispose of the summons through court appearance or through the mail. The act also prevents point assessment, makes the records confidential, and requires notice of the presence of the automated system. The photos may be used in private civil actions.

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

SOURCES OF INFORMATION

L.R. NO. 4306-02  
BILL NO. SB 1037  
PAGE 6 OF 6  
February 25, 2002

Department of Revenue  
Department of Public Safety  
Office of State Courts Administrator  
City of Springfield  
City of Poplar Bluff  
City of Sedalia  
City of Chesterfield  
City of West Plains  
City of Mexico  
City of St.Charles  
City of Independence



Mickey Wilson, CPA  
Acting Director  
February 25, 2002