

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4598-01
Bill No.: SB 1123
Subject: Water Patrol; Boats and Watercraft; Law Enforcement Officers and Agencies;
Drunk Driving/Boating.
Type: Original
Date: February 15, 2002

FISCAL SUMMARY

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

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	\$0	\$0	\$0

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

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Water Patrol (DWS)** state this proposal would not fiscally impact their agency. DWS stated, however, Section 306.100.7 and 8 of the proposal regarding personal flotation devices is federally mandated, and could possibly impact future grants from the U.S. Coast Guard, if not enacted.

Officials from the **Missouri Department of Conservation, Office of the State Public Defender, Department of Natural Resources, Department of Revenue** and the **Department of Health and Senior Services** each state this proposal would not fiscally impact their respective agencies.

Officials from the **Office of Prosecution Services** state any additional costs resulting from this proposal could be absorbed by existing resources.

In response to similar legislation from last year, officials from **Office of the State Courts Administrator** stated there may be a slight increase in the number of cases filed in some courts, however, they would not expect an overall impact on the budget of the judiciary.

<u>FISCAL IMPACT - State Government</u>	FY 2003	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal creates a definition for "racing shell" and "skiing".

The proposal also states that a penalty fee or cancellation may only be imposed upon a person who documented a vessel with the U.S. Coast Guard prior to August 28, 1994, if that person received at least 30 days notice that his or her vessel is required to be registered.

The proposal also requires all watercraft 16 feet or more in length to have one wearable personal flotation device on board for each person on board, except canoes. The proposal requires the mandatory wearing of personal flotation devices in watercraft under 18 feet between October 15 and March 15 in certain locations.

The proposal also authorizes the use of a urine sample to test for alcohol or drugs. The current boating laws only authorize the use of blood, breath or saliva.

The proposal also authorizes the Water Patrol to temporarily close state waterways in the event of a natural or manmade disaster.

The proposal clarifies the ski flag law by stating that the displaying of flag is optional when the watercraft is in the process of towing a person engaged in water skiing, tubing or similar activity. It also holds that no operator shall knowingly operate a watercraft within 100 feet (changed from fifty feet) of watercraft displaying such a flag.

The proposal also authorizes the Water Patrol to arrest persons on probable cause, anywhere in the state, for a criminal violation under investigation which occurred within the Water Patrol's jurisdiction.

The proposal also deletes the reference to 600 hours of instruction a water patrol officer must receive and replaces it with language referring to training pursuant to chapter 590.

The proposal also requires a person to report a watercraft accident if the damage to property exceeds \$500 (up from \$200).

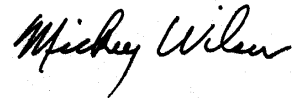
This provision has an emergency clause.

This legislation is federally mandated (Federal Code of Regulation - Title 46, Subtitle II, Chapter 43, Section 4306). It would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

RS:LR:OD (12/01)

Department of Public Safety
Missouri Water Patrol
Department of Revenue
Department of Natural Resources
Missouri Department of Conservation
Office of the State Courts Administrator
Office of Prosecution Services
Office of the State Public Defender
Department of Health and Senior Services



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February 15, 2002