

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0128-01
Bill No.: HB 450
Subject: Transportation; Motor Vehicles; Crimes and Punishment
Type: Original
Date: April 17, 2015

Bill Summary: This proposal prohibits anyone from sending, reading or writing a text message while operating a motor vehicle.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Highway Fund	Unknown	Unknown	Unknown
Total Estimated Net Effect on <u>Other</u> State Funds	Unknown	Unknown	Unknown

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Government	Unknown	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

Oversight was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year information regarding a similar bill. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval of the chairperson of the Joint Committee on Legislative Research to publish a new fiscal note.

Section 304.820

Officials from the **Department of Revenue (DOR)** assume this legislation removes the current texting while driving offense for drivers 21 years of age and under and adds language to prohibit all drivers from texting while. This offense requires assessment of points upon conviction pursuant to Section 302.302, RSMo.

Administrative Impact

This legislation may result in an increase in the number of traffic convictions received and processed by the Department. When the volume of convictions increases, the Department issues more point warning and suspension notices, pursuant to Section 302.304, RSMo. This will result in an increase in customer contacts.

There are no statistics available to determine exactly how many additional convictions will result from this proposal. If the volume is significant enough that it cannot be absorbed by existing staff, additional FTE(s) will be requested through the appropriation process.

Revenue Impact

Reinstatement fees collected are also unknown; however, any fees collected will be distributed 75% Highway Funds, 15% Cities, and 10% Counties.

Officials from the **Office of the State Courts Administrator**, the **Department of Public Safety - Missouri Highway Patrol** and the **Office of Prosecution Services** each assume the proposal will have no fiscal impact on their respective organizations.

ASSUMPTION (continued)

Oversight notes that according to Office of the State Courts Administrator there were 58 citations filed at the Fine Collection Center for the texting and driving violation in FY 2014.

Since it is unknown how many additional convictions the proposal will result in (depending on enforcement by peace officers as well as actions by prosecutors and judges), **Oversight** will assume a positive unknown increase in revenue to the Highway Fund, Cities and Counties for additional reinstatement fees as well as a positive unknown increase in revenue to local political subdivisions for additional fine revenue. Additional fine revenue received by local school districts may count as a deduction in the following year in determining their state aid apportionment, if the district is not a 'hold harmless' district. For simplicity, Oversight will only reflect the increase in fine revenue as a positive impact to local political subdivisions.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
---	---------------------	---------	---------

HIGHWAY FUND

<u>Revenue - Reinstatement fees (75%)</u>	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
---	----------------	----------------	----------------

ESTIMATED NET EFFECT TO THE HIGHWAY FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
---	-----------------------	-----------------------	-----------------------

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
---	---------------------	---------	---------

LOCAL POLITICAL SUBDIVISIONS

<u>Revenue - various local political subdivisions for tickets for using a cellular phone while driving</u>	Unknown	Unknown	Unknown
--	---------	---------	---------

<u>Revenue - Cities Reinstatement Fees (15%)</u>	Unknown	Unknown	Unknown
--	---------	---------	---------

<u>Revenue - Counties Reinstatement Fees (10%)</u>	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
--	----------------	----------------	----------------

ESTIMATED NET EFFECT TO THE LOCAL POLITICAL SUBDIVISIONS	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
---	-----------------------	-----------------------	-----------------------

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

Currently, an individual 21 years of age or younger is prohibited from sending, reading, or writing a text message or electronic message from a hand-held electronic wireless communications device while operating a moving motor vehicle on any highway in this state. This bill prohibits anyone, regardless of age, from these activities.

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 Revenue
Office of the State Courts Administrator
Office of Prosecution Services
Department of Public Safety



Mickey Wilson, CPA
Director
April 17, 2015

Ross Strobe
Assistant Director
April 17, 2015