

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6064-01
Bill No.: HB 2377
Subject: Licenses - Driver's; Crimes and Punishment
Type: Original
Date: April 12, 2016

Bill Summary: This proposal prohibits the fine collection center from taking an individual's drivers' license for failure to appear for a traffic violation.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on General Revenue	(Unknown)	(Unknown)	(Unknown)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
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 2017	FY 2018	FY 2019
Local Government	\$0	\$0	\$0

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.

In response to similar legislation from 2015, HB 740, officials at the **Department of Revenue** assumed from §302.341, the proposed legislation will only allow a court to notify a defendant of its intent to suspend his or her driving privileges for failure to comply with a moving traffic violation if the prosecutor in that jurisdiction requests the court to do so. Thereafter, if the defendant doesn't comply with the notification within 30 days, the court may notify the Department of Revenue to suspend the defendant's driving privileges.

§476.385 allows the centralized bureau (Fine Collections Center) to notify the Department of Revenue of any defendant who failed to comply with a moving traffic violation and is subject to suspension under §302.341, RSMo. However, the Department would not be allowed to suspend the defendant's driving privileges until the prosecutor in that jurisdiction authorizes the suspension.

Based on this legislation, the volume of Failure to Appear or Pay Traffic Violation suspension notices may decrease. There are no statistics available to determine the decreased amount of suspensions the Department can expect. The proposed changes will also require form revisions and procedure changes.

Update forms - Management Analysis Spec I -	40 hrs @ \$21 =	\$840
Update procedures - Management Analysis Spec I -	40 hrs @ \$21 =	\$840
	Total =	\$1,680

If the amount of Failure to Appear or Pay Traffic Violation suspension notices that are processed decrease, the amount of reinstatement fees collected will also decrease. Fees are distributed 75% Highway Funds, 15% Cities, and 10% Counties.

Oversight assumes the cost to update forms and procedures for the Department of Revenue can be absorbed internally or requested through future appropriations.

ASSUMPTION (continued)

Officials at the **City of Raytown** assume the proposal is unclear on if or how money collected by the bureau will be distributed back to the local jurisdictions. If there is no intent to distribute this back to the local jurisdiction or if even a portion of it is to be kept by the state, it will have a significant fiscal impact on the City. Depending upon the intent of the state, it will cost the City up to \$1,000,000 and no less than \$10,000 (1% admin fee).

Oversight assumes the direction of money collected by the bureau listed is in another section of statute and does not pertain to this proposal.

Officials at the **Office of the State Courts Administrator** and the **Office of Prosecution Services** each assume no fiscal impact to their respective agencies from this proposal.

Officials at the **Platte County Board of Election Commission** assume no fiscal impact from this proposal.

In response to similar legislation from 2015, HB 740, officials at **St. Louis County** and the **City of Kansas City** each assumed no fiscal impact to their respective entities from this proposal.

Oversight assumes this proposal prohibits the fine collection center from taking an individual's drivers' license for failure to appear for a traffic violation without a court order at the request of the prosecutor. Oversight assumes there could be a reduction to the number of drivers' licenses that would be taken and then later reinstated, which could lead to a loss in revenue to the Department of Revenue. Therefore, Oversight will reflect a unknown loss for this fiscal note.

<u>FISCAL IMPACT - State Government</u>	FY 2017	FY 2018	FY 2019
	(10 Mo.)		
GENERAL REVENUE			
<u>Loss</u> - Department of Revenue - in revenue for reinstatement of drivers' licenses	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<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.

FISCAL DESCRIPTION

Currently, if an individual charged with a moving traffic violation fails to appear in court as directed or without good cause fails to pay any fine or court costs assessed against him or her for the violation within the period specified or as otherwise approved by the court, the court is required to order the Director of the Department of Revenue to suspend the individual's driving privileges if the charges are not disposed of and fully paid within 30 days from the date of the mailing. This bill specifies that the court may order the department director to suspend the driving privileges at the request of the prosecutor having original jurisdiction.

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

Office of the State Courts Administrator
Platte County Board of Election Commission
City of Raytown
Office of Prosecution Services
City of Kansas City
St. Louis County
Department of Revenue



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Director
April 12, 2016

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