

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2184-01
Bill No.: HB 722
Subject: Law Enforcement Officers and Agencies; Motor Vehicles; Roads and Highways.
Type: Original
Date: April 15, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Highway Safety	\$400,000	\$0	\$0
Total Estimated Net Effect on Other State Funds	\$400,000	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Public Defender** and the **Department of Public Safety - Missouri Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Office of the State Courts Administrator (CTS)** state the proposal would allow an officer to stop a vehicle for non-compliance with the seat belt law if the violation is clearly visible to the officer without stopping the vehicle.

CTS states that depending on the degree of enforcement, there could be a significant increase in the number of cases filed. However, CTS states they have no way of estimating that increase. CTS states that any significant increase would be reflected in future budget requests.

Officials from the **Department of Public Safety - Division of Highway Safety (DHS)** state that Section 2003 of TEA-21 established a new program of incentive grants (under Section 405(a) of chapter 4 of Title 23) to encourage states to adopt and implement effective programs to reduce

ASSUMPTION (continued)

highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles. A state may use these grant funds only to implement and enforce occupant protection programs.

DHS states that in order to qualify for the federal occupant Protection Incentive grant, a state must meet 4 of 6 criteria. If Missouri passed legislation that allowed for primary enforcement of seat belt violations, we would meet 4 of the 6 criteria and be eligible to apply. DHS assumes the state would receive an additional \$400,000 in federal grant in FY 2004 with this proposal. This estimate is based on a 2002 federal authorization under the TEA-21 Transportation Bill of \$15 million to be appropriated between the qualifying states. The 2003 authorization is \$20 million but there is no way to anticipate how many states will qualify and have to split the \$20 million.

DHS states the implications of the proposal beyond FY 2004 are unknown since the federal grant authorization expires September 30, 2003. It isn't known whether the occupant protection grants will be available after that time. However, DHS anticipates that with a primary law, more people will wear their seat belts which will reduce serious injuries and deaths from motor vehicle crashes. States that have passed primary seat belt laws have seen as much as a 16% increase in seat belt usage.

Officials from the **City of Springfield Police Department** state the proposal would result in additional revenues to the city from additional tickets being issued.

In response to a similar proposal from last year, officials from the **Office of Prosecution Services** assumed that costs resulting from this proposal could be absorbed with existing resources.

In response to a similar proposal from last year, officials from the **Department of Transportation** and the **Department of Revenue** each assumed the proposal would not fiscally impact their respective agencies.

In response to a similar proposal from last year, officials from the **St. Louis Metropolitan Police Department (SLPD)** stated in 2001, they issued 3,666 summonses for "Failure to Wear Seat Belts" and 410 violations of "Child Restraint Laws." These summonses were a by-product of stopping the vehicle for other reasons. Given the limitations on stopping the vehicle for this purpose, the SLPD sees no significant change in it's policing procedures due to this proposal and accordingly any financial impact would be nominal.

ASSUMPTION (continued)

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Officials from the **Columbia Police Department** and the **Greene County Sheriff** did not respond to our request for fiscal impact.

Oversight notes that increases in fines which would go to school districts would be offset by reduced payments to those districts through the State Foundation Formula.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
FEDERAL FUNDS			
<u>Income - Division of Highway Safety</u>			
Missouri's share of safety belt incentives	<u>\$400,000</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<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 requires that law enforcement officers will not be prohibited from stopping a person for a seat belt violation if the violation is clearly visible to the officer without stopping the vehicle.

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

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Department of Public Safety
Missouri Highway Patrol
Highway Safety
Office of the State Courts Administrator
Office of the State Public Defender
Office of Prosecution Services
Department of Revenue
Department of Transportation
St. Louis Metropolitan Police Department
Springfield Police Department

NOT RESPONDING: Columbia Police Department, Greene County Sheriff



MICKEY WILSON, CPA
DIRECTOR
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