

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5386-01
Bill No.: HB 1473
Subject: Alcohol; Licenses - Driver's; Revenue Department
Type: Original
Date: February 8, 2012

Bill Summary: This proposal provides that filing a petition for trial de novo results in the stay of the driver's license suspension or revocation order and the issuance of a temporary license until a final order is issued on the petition.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
General Revenue	(\$201,011)	(\$236,142)	(\$238,563)
Total Estimated Net Effect on General Revenue Fund	(\$201,011)	(\$236,142)	(\$238,563)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
General Revenue	3	3	3
Total Estimated Net Effect on FTE	3	3	3

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

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

Officials from the **Office of the Secretary of State (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the Secretary of State's Office for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Section 302.535

Officials from the **Department of Revenue - Driver License Bureau (DLB)** state this section of the proposal will require system modifications regarding the changes to administrative alcohol suspensions and revocations, draft updates to web site information on Restricted Driving Privilege (RDP) and Temporary Driving Privilege (TDP), updating office procedures and additional training of personnel.

The Driver License Bureau estimates 160 hours of system testing for one Management Analysis Specialist II and one Administrative Analyst I.

FY13

Administrative Analyst -	160 hrs @ \$16 per hr = \$2,560
Management Analyst Specialist II	160 hrs @ \$23 per hr = \$3,680
Revenue Band Manager -	160 hrs @ \$30 per hr = <u>\$4,800</u>

Total = \$11,040

ASSUMPTION (continued)

Update web page - Administrative Analyst III	10 hrs @ \$22 = \$220
Update forms - Management Analysis Spec I	40 hrs @ \$20 = \$800
Update procedures - Management Analysis Spec I	40 hrs @ \$20 = <u>\$800</u>

Total = \$1,820

Section 302.535

Officials from the **Department of Revenue - Information Technology - OA-ITSD (DOR)** state the Department's response to a similar proposal in prior years would have indicated the Department planned to absorb the administrative costs to implement the proposal. Due to budget constraints, reduction of staff and the limitations within the Department's driver license legacy systems, changes cannot be made without significant impact to the Department's resources and budget. Therefore, the IT portion of the fiscal impact is estimated with a level of effort valued at \$4,240 calculated on 160 FTE hours.

Officials from the **Department of Revenue - General Counsel Office (GCO)** estimate this section of the proposal will increase in the number of Administrative Alcohol trial de novo appeals and therefore the GCO would require an additional three (3) Legal Counsel statewide (at \$50,076 annually + Fringe Benefits, Equipment and Expenses) totaling \$201,011 in FY 13, \$236,142 in FY 14 and \$238,563 in FY15.

In summary, DOR assumes a cost of \$218,111 (\$11,040 + \$1,820 + \$4,240) in FY13, \$236,142 in FY14 and \$238,563 in FY15 to provide for the implementation of the changes in this proposal.

Oversights assumes DOR will not require the additional expense for updating (\$11,040, \$1,820 and \$4,240).

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
GENERAL REVENUE			
<u>Costs - Department of Revenue</u>			
Personal Service	(\$125,190)	(\$151,730)	(\$153,248)
Fringe Benefits	(\$66,276)	(\$80,326)	(\$81,129)
Equipment and Expense	<u>(\$9,545)</u>	<u>(\$4,086)</u>	<u>(\$4,186)</u>
<u>Total Cost - DOR</u>	(\$201,011)	(\$236,142)	(\$238,563)
FTE Change - DOR	3 FTE	3 FTE	3 FTE
 ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	 <u>(\$201,011)</u>	 <u>(\$236,142)</u>	 <u>(\$238,563)</u>
Estimated Net FTE Changes for General Revenue Fund	3 FTE	3 FTE	3 FTE
 <u>FISCAL IMPACT - Local Government</u>	 FY 2013 (10 Mo.)	 FY 2014	 FY 2015
	 <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, the filing of a petition for trial de novo appealing a decision of the Department of Revenue to suspend or revoke a driver's license cannot result in a stay of the suspension or revocation order. This proposal requires the filing to result in a stay of the suspension or revocation order and requires the department to issue a temporary driving permit that will be valid until a final order is issued following the date of the disposition of the petition.

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
Department of Public Safety
Department of Transportation
Office of the State Courts Administrator
Office of the Secretary of State
Joint Committee on Administrative Rules



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Director
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