

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 0415-01
BILL NO.: HB 320
SUBJECT: Boats and Watercraft: Drivers' Licenses
TYPE: Original
DATE: January 22, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	(\$38,215)	(\$33,984)	(\$38,137)
Total Estimated Net Effect on <u>All</u> State Funds	(\$38,215)	(\$33,984)	(\$38,137)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

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

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri State Water Patrol (MWP)** assume they would need one (1.0) FTE Water Sergeant (at \$45,156 annually) to administer the mandatory education program, one (1.0) FTE Clerk Typist II (at \$23,184 annually) and one (1.0) FTE Clerk Typist III (at \$20,472 annually) to process clerical information for the Safety Education Program, plus all associated expense and equipment. Certain expenses were based on equipment needed to replace an officer in the field who would be moved to headquarters as a result of the proposal.

Oversight assumes MWP may charge a fee for the card that does not substantially exceed the costs of administrating this section. In response to similar legislation in a previous session, officials from the Department of Revenue (DOR) indicated that in FY98, DOR processed 113,818 watercraft registrations. This was based on a 3-year renewal, so the assumption is made that there are actually three times that number, or 341,454. DOR assumed the state would incur an expense of \$1.90 per card to produce these identification cards. Oversight assumes at least 113,818 persons will successfully complete the boating safety course or the equivalency examination and will subsequently be issued a permanent boating safety identification card each year for the years FY 02, FY 03, and FY 04. Since application is a one-time occurrence with no renewal, Oversight assumes the volume of cards issued will decrease substantially in subsequent years. For purposes of this fiscal note, Oversight assumes fee revenue to DOR based on \$3.00 per card issued.

I.D. Production Costs 113,818 x \$1.90 = \$216,254.
Fees received 113,818 x \$3.00 = \$341,454

Oversight assumes if volumes are not as large as anticipated, the MWP would either adjust fees or reduce costs accordingly.

Officials from the **Office of State Courts Administrator (CTS)** assume this proposal would require persons under twenty-one to obtain what amounts to a license to operate a motorboat. Violations would be a misdemeanor. Violators must complete a boating safety education course and file proof of completion with the courts. The proposal would also increase to 16 the age at which a person may operate a motorboat without supervision.

CTS officials stated that depending on the degree of enforcement, there could be an impact on some courts. However, CTS officials assume that after a period of adjustment, there would be substantial compliance and therefore no long-term workload impact.

ASSUMPTION (continued)

In response to similar legislation from last session, officials from the **Department of Revenue** assumed there would be no impact to their agency.

Officials from the **Office of Prosecution Services** assume that expenses to prosecutors could be absorbed with existing resources.

Officials from the **Office of State Public Defender** assume they could provide representation for those 20-25 cases arising where indigent persons were charged with operating a boat without a license. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover cumulative cost of representing the indigent accused in the additional cases.

Officials from the **Office of Secretary of State (SOS)** assume there would be costs due to additional publishing duties related to the Division of Water Safety's authority to promulgate rules, regulations, and forms. SOS estimates the division could require approximately 6 new pages of regulations in the Code of State Regulations at a cost of \$27.00 per page, and 9 new pages in the Missouri Register at a cost of \$23.00 per page. The actual fiscal impact would be dependent upon the actual rulemaking authority and may be more or less. Financial impact in subsequent fiscal years would depend entirely on the number, length, and frequency of the rules filed, amended, rescinded, or withdrawn. SOS does not anticipate the need for additional staff as a result of this proposal; however, the enactment of more than one similar proposal may, in the aggregate, necessitate additional staff.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
GENERAL REVENUE FUND			
<u>Cost - Missouri State Water Patrol (MWP)</u>			
Personal Service	(\$74,010)	(\$93,308)	(\$95,641)
Fringe Benefits	(24,700)	(31,100)	(31,877)
Expense and Equipment	(64,705)	(34,776)	(35,819)
I.D. Production	<u>(216,254)</u>	<u>(216,254)</u>	<u>(216,254)</u>
Total <u>Cost</u> - MWP	(\$379,669)	(\$375,438)	(\$379,591)

<u>FISCAL IMPACT - State Government</u> (continued)	FY 2002 (10 Mo.)	FY 2003	FY 2004
<u>Income - Missouri State Water Patrol (MWP)</u> I.D. Fees	\$341,454	\$341,454	\$341,454
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$38,215)</u>	<u>(\$33,984)</u>	<u>(\$38,137)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

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

DESCRIPTION

This proposal increases the minimum age for operation of a motorboat or vessel from 14 to 16, except for any person who was 14 on or before August 28, 2000.

Any person born after August 28, 1979, will be required to possess a boating safety identification card in order to operate a vessel or personal watercraft. The Missouri State Water Patrol will issue this boating safety identification card. The card will indicate that the person: (1) has successfully completed a boating safety course approved by the National Association of State Boating Law Administrators and certified by the Missouri State Water Patrol; (2) has passed an equivalency examination prepared or approved by the Water Patrol; or (3) holds a valid master's, mate's, or operator's license issued by the United States Coast Guard. The Water Patrol may charge a fee for the card that does not substantially exceed the administrative cost of this provision.

The bill also requires that any person convicted of certain boating offenses must enroll and complete a boating safety education course which meets the Water Patrol's minimum standards, file proof of successful completion of the course with the court, and not operate a vessel until such filing.

This legislation is not federally mandated, would not duplicate any other program, and would not

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require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety - Missouri State Water Patrol
Department of Revenue
Office of State Courts Administrator
Office of Prosecution Services
Office of State Public Defender
Office of Secretary of State



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