

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0632-01
Bill No.: HB 93
Subject: Licenses Driver's; Crimes and Punishment; Motor Vehicles
Type: Original
Date: February 10, 2011

Bill Summary: This proposal prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle on any highway in this state.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
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 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on FTE	0	0	0

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 2012	FY 2013	FY 2014
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Public Defender, Department of Transportation, Office of the State Courts Administrator** and the **Department of Public Safety - Director's Office** each assume the proposal would not fiscally impact their respective agencies.

In response to similar proposals from this year (SB 11 & HB 317), officials from the **Office of Prosecution Services** assumed the proposal would not fiscally impact their agency

Officials from the **Department of Revenue (DOR)** assume Section 304.820 now requires the DOR to assess points to a driver's record for a conviction violation of text messaging while driving offense created under these provisions regardless of age of the offender. This legislation removes the 21 and under age limitation which will result in an unknown increase in the number of convictions for driving while texting.

The proposal would administratively impact the DOR's Driver License Bureau. DOR states there are no statistics available to determine how many additional convictions the DOR may be required to process; however, one FTE can process 320 convictions per day. The DOR assumes that a minimum of 1 FTE will be needed to process the additional convictions resulting from this violation. If the volume of convictions received for processing exceeds 320 per day, then additional FTE will be required and will be requested through the appropriation process.

There are no statistics available to determine the volume of phone calls that may be received; however, currently a Telephone Information Operator is required to handle 100 calls per day. The DOR assumes that a minimum of 1 FTE will be needed to answer the additional phone calls. If the calls received for texting while driving exceeds 100 calls per day, then additional FTE will be required and will be requested through the appropriation process.

The DOR is unable to determine how many convictions will be received for texting while driving and, therefore, is unable to determine the forms and postage costs for issuing the suspension/revocation notices.

DOR assumes the following costs:

One FTE Revenue Processing Tech (at \$25,380 per year) to process additional convictions for texting while driving and One FTE Telephone Information Operator (at \$25,380 per year) to

ASSUMPTION (continued)

answer telephone calls related to texting while driving. Postage and forms costs are unknown. DOR estimates the total cost to be approximately \$80,000 in FY 12, \$80,000 in FY 13, and \$81,000 in FY 14.

DOR assumes the proposal would also have a revenue impact of an unknown amount in the form of Reinstatement Fees Collected. Fees collected will be distributed, 75% highway fund, 15% cities, and 10% counties.

Officials from **Kansas City** assume the proposal would not create a fiscal impact.

In response to a similar proposal from this year (HB 317), officials from the **Boone County Sheriff's Office** and the **Springfield Police Department** each assumed no fiscal impact from the proposal.

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume the proposal would not fiscally impact their agency. The MHP states they wrote 65 texting-while-driving tickets in 2010. Of those, nine were involved in accidents.

Oversight received information that, as of January 5, 2011, the Department of Revenue (DOR) processed 56 convictions for drivers twenty-one years of age or younger text messaging while driving since the statute went into effect on August 28, 2009.

Oversight assumes, based on the information received from the Missouri State Highway Patrol and the Department of Revenue (DOR), that the number of convictions resulting from prohibiting all drivers, regardless of age, from text messaging while operating motor vehicles would not be excessive. Oversight assumes DOR could absorb the increase in work load resulting from the proposal within existing resources. If the DOR experiences an increase that would require additional funding, the DOR could request the funding through the appropriation process.

Oversight assumes any revenue impact would be minimal, and reflects no change to Total State Revenue as a result of the proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<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.

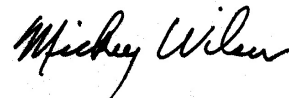
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

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 Transportation
Office of the State Courts Administrator
Department of Public Safety
Office of Prosecution Services
Office of the State Public Defender
Department of Revenue
Kansas City
Boone County Sheriff
Springfield Police Department



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Director
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