

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5227-01  
Bill No.: HB 1813  
Subject: Motor Vehicles; Licenses - Motor Vehicle; Roads and Highways; Transportation  
Type: Original  
Date: January 6, 2016

---

Bill Summary: This proposal increases the penalties for the offense of failing to yield the right-of-way and the time period the court may order the suspension of a person's driving privilege for the offense.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	(\$35,240)	\$0	\$0
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$35,240)</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Highway Fund	Less than \$100,000	Less than \$100,000	Less than \$100,000
<b>Total Estimated Net Effect on Other State Funds</b>	<b>Less than \$100,000</b>	<b>Less than \$100,000</b>	<b>Less than \$100,000</b>

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

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

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Local Political Subdivisions</b>	<b>Could exceed \$100,000</b>	<b>Could exceed \$100,000</b>	<b>Could exceed \$100,000</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Revenue (DOR)** assume this proposal would increase the penalties for any person who pleads guilty to or is found guilty of a failure to yield the right-of-way violation in which the offender is found to have caused serious injury or has caused a fatality. The court shall issue an order of suspension of the individual's driving privileges. In the event of a fatality, the proposed legislation would require the offender to complete a driver improvement program.

#### Administrative Impact:

##### Driver License Bureau (DLB):

DOR is unable to determine how many court ordered suspensions will be received to process. If the volume is so significant that it cannot be absorbed by existing staff, additional FTE(s) will be requested through the appropriations process.

The proposed changes will require programming and user acceptance testing of the failure to yield the right-of-way suspensions when involving a fatality.

Two Management Analyst Specialist I - 80 hrs x 2 @ \$21 per hr = \$3,360

Update web page - Administrative Analyst III -	10 hrs @ \$23 = \$230
Update forms – Management Analysis Spec I -	40 hrs @ \$21 = \$840
Update procedures – Management Analysis Spec I -	40 hrs @ \$21 = <u>\$840</u>
	Total = \$1,910

Total OA-ITSD Impact for FY `17 is 399.6 hours at \$75 per hour = \$29,970.

In summary, DOR assumes a cost of \$35,240 (\$3,360 + \$1,910 + \$29,970) in FY 2017 to provide for the implementation of the changes in this proposal.

DOR states reinstatement fees collected is unknown. Fees collected will be distributed 75% Highway Funds, 15% Cities, and 10% Counties.

ASSUMPTION (continued)

Since it is unknown how much additional revenue the reinstatement fees collected would produce, for fiscal note purposes only, **Oversight** will estimate revenue as: Less than \$100,000.

Officials from the **Office of the State Courts Administrator** state the proposed legislation would increase the fine for failure to yield the right-of-way. According to the Fine Collection Center, as well as the total number of charges, the net average for the past five years of failure to yield the right-of-way violations with a guilty disposition is 3,127. It is unknown how much additional revenue the increase in fines would produce.

**Oversight** notes since it is unknown how many of the 3,127 violations with guilty disposition resulted in injuries, serious injuries, or deaths, the amount of fine revenue will be reflected as: ‘Could exceed \$100,000.’ Oversight will assume the additional fine revenue will be distributed to local school districts.

Officials from the **Department of Transportation, Department of Public Safety, Office of Prosecution Services and State Public Defender’s Office** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **City of Kansas City and St. Louis County** assume the current proposal would not fiscally impact their local political subdivision.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
<b>GENERAL REVENUE</b>			
<u>Cost</u> - DOR - administrative costs to implement changes	<u>(\$35,240)</u>	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE</b>	<b><u>(\$35,240)</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b>HIGHWAY FUND</b>			
<u>Income</u> - Additional revenue from reinstatement fees	Less than <u>\$100,000</u>	Less than \$100,000	Less than <u>\$100,000</u>
<b>ESTIMATED NET EFFECT ON HIGHWAY FUNDS</b>	<b>Less than <u>\$100,000</u></b>	<b>Less than <u>\$100,000</u></b>	<b>Less than <u>\$100,000</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Income</u> - Cities and Counties	Less than	Less than	Less than
Additional revenue from reinstatement fees	\$100,000	\$100,000	\$100,000
<u>Revenues</u> - Local School Districts	Could exceed	Could exceed	Could exceed
Income from fines	<u>\$100,000</u>	<u>\$100,000</u>	<u>\$100,000</u>
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b>Could exceed</b> <b><u>\$100,000</u></b>	<b>Could exceed</b> <b><u>\$100,000</u></b>	<b>Could exceed</b> <b><u>\$100,000</u></b>

FISCAL IMPACT - Small Business

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

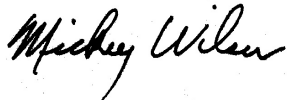
FISCAL DESCRIPTION

This proposal increases the penalties for the offense of failing to yield the right-of-way and the time period the court may order the suspension of a person's driving privilege for the offense.

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  
Office of State Courts Administrator  
Department of Transportation  
Department of Public Safety  
    Missouri State Highway Patrol  
State Public Defender's Office  
Office of Prosecution Services  
City of Kansas City  
St. Louis County



Mickey Wilson, CPA  
Director  
January 6, 2016

Ross Strobe  
Assistant Director  
January 6, 2016