

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0834-01
Bill No.: HB 275
Subject: Motor Vehicles; Cities, Towns, and Villages; Roads and Highways;
 Transportation; Transportation, Department of
Type: Original
Date: January 23, 2017

Bill Summary: This proposal prohibits the use of automated traffic enforcement systems and requires any political subdivision to complete or terminate any automated traffic enforcement contract within one year.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
General Revenue	(More than \$7,800,000)	\$0	\$0
Total Estimated Net Effect on General Revenue	(More than \$7,800,000)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
 This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on FTE	0	0	0

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Local Government	\$0	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the Secretary of State (SOS)** assume a number of joint resolutions that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issue in the legislation may be considered by the General Assembly.

Unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII section 2(b) of the Missouri Constitution authorizes the governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, §115.063.2, RSMo, requires the state to pay the costs. The cost of the special election has been estimated to be \$7.8 million based on the cost of the 2016 Presidential Preference Primary. This figure was determined through analyzing and totaling expense reports from the 2016 Presidential Preference Primary received from local election authorities.

The SOS is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. Through FY 2013, the appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2015, the General Assembly changed the appropriation so that it was no longer an estimated appropriation. In FY 2017, the SOS was appropriated \$2.6 million to publish the full text of the measures. In FY 2017, at the August and November elections, there were 6 statewide Constitutional Amendments or ballot propositions that cost \$2.4 million to publish (an average of \$400,000 per issue). The SOS will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. Because these requirements are mandatory, we reserve the right to request funding to meet the cost of our publishing requirements if the Governor and the General Assembly again change the amount or continue to not designate it as an estimated appropriation.

ASSUMPTION (continued)

Oversight has reflected in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having this joint resolution voted on during a special election in fiscal year 2018. This reflects the decision made by the Joint Committee on Legislative Research, that the cost of the elections should be shown in the fiscal note. The next scheduled statewide primary election is in August 2018 and the next scheduled general election is in November 2018 (FY 2019). It is assumed the subject within this proposal could be on one of these ballots if a special election is called for by the Governor. However, the bill states the question will be put before the voters in November 2017. There is not a general election scheduled for November 2017, so Oversight will reflect the cost of holding a special election.

Officials at the **St. Louis County Police Department** assume this proposal would require the Department cease all use of red light traffic cameras to enforce traffic law. The proposal would also set restrictions for the use of current License Plate Reader (LPR) vehicles. The proposal advises that the LPR system can not be used, “to establish evidence that a motor vehicle or its operator is not in compliance with traffic signals, traffic speeds, or other traffic laws, ordinances, rules, or regulations on any public street, road, or highway within this state or to impose or collect any civil or criminal fine, fee, or penalty for any such noncompliance.” If the proposal refers only to traffic, the impact would be minimal, however, if this proposal refers to stopping the vehicle for any reason following an LPR ‘hit’, there would be a significant impact.

Additionally, the proposal states that within one year of the effective date, all maintenance and installation contracts for LPR systems must be terminated. There are four ELSAF LPR units which each cost approximately \$25,000 and one LPR system used by the Intelligence/Fusion Center that cost approximately \$40,000. The software and the customization of the internal applications cost an additional \$50,000. An incalculable amount of revenue generated from traffic stops initiated through the LPR system would also be lost, however, it is assumed that the amount is small and the effect, in this regard, would be minimal.

Oversight assumes an unknown loss in revenues would be affected from this proposal on the LPR system for St. Louis County. Therefore, Oversight will assume a \$0 to unknown revenue loss for fiscal years 2019 and 2020 for this proposal since all contracts will be terminated within one year of the effective date.

Officials at the **Office of the State Courts Administrator**, the **Department of Public Safety’s Missouri Highway Patrol**, the **Department of Revenue** and the **Missouri Department of Transportation** each assume no fiscal impact to their respective agencies from this proposal.

ASSUMPTION (continued)

Officials at the **Callaway County Commission**, the **City of Kansas City**, the **City of Columbia**, the **Cole County Sheriff's Department**, the **Boone County Sheriff's Department**, the **Springfield Police Department** and the **St. Louis County Justice Services** each assume no fiscal impact to their respective entities from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
GENERAL REVENUE FUND			
<u>Transfer Out</u> - SOS - reimbursement of local election authority election costs	(More than <u>\$7,800,000</u>)	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	(More than <u>\$7,800,000</u>)	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
LOCAL POLITICAL SUBDIVISIONS			
<u>Transfer In</u> - Local Election Authorities - reimbursement of election costs by the State for a special election	More than \$7,800,000	\$0	\$0
<u>Costs</u> - Local Election Authorities - of a special election	(More than \$7,800,000)	\$0	\$0
<u>Loss</u> - Local Political Subdivisions - on revenue from LPR hits	<u>\$0</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>\$0</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

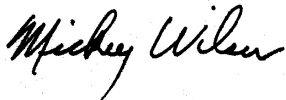
This bill requires motorists charged with traffic violations to receive notification, in person, from an officer employed by the law enforcement agency issuing the violation, within 24 hours of the violation. This does not apply to parking tickets, incidents requiring further investigation, or any other situation in which in-person notification is not possible. This bill prohibits any state agency or political subdivision of this state from enacting or enforcing any law that authorizes the use of an automated traffic system which records images of cars, drivers, or the license plates in order to establish that a violation occurred. Any state agency or political subdivision that currently has an automated traffic enforcement system installation or maintenance contract must complete or terminate the contract within one year.

The bill contains a referendum clause and will not become effective unless approved by the voters of this state.

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

Office of the Secretary of State
Office of the State Courts Administrator
Department of Public Safety
 Missouri Highway Patrol
Department of Revenue
Missouri Department of Transportation
Callaway County Commission
City of Kansas City
City of Columbia
Cole County Sheriff's Department
Boone County Sheriff's Department
Springfield Police Department
St. Louis County Justice Services
St. Louis County Police Department



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