

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1340-01  
Bill No.: SB 254  
Subject: County Officials; Courts; Licenses - Driver's; Motor Vehicles; Transportation;  
 Department of Revenue; Department of Transportation  
Type: Original  
Date: February 19, 2019

Bill Summary: This proposal specifies that the Director of Revenue may revoke the driver's license of a person determined to have struck a highway worker or emergency responder in properly marked zone.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	(\$66,632) to (\$228,277)	\$0 to (\$80,631)	\$0 to (\$81,312)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$66,632) to (\$228,277)</b>	<b>\$0 to (\$80,631)</b>	<b>\$0 to (\$81,312)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 8 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</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 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
General Revenue	0 or 3 FTE	0 or 1 FTE	0 or 1 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>0 or 3 FTE</b>	<b>0 or 1 FTE</b>	<b>0 or 1 FTE</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 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Department of Revenue (DOR)** assume the following regarding this proposal:

#### Administrative Impact

To implement the proposed legislation, the Department will be required to:

- Complete programming and user acceptance testing to create a new action type in the Missouri Driver License (MODL) system;
- Create new procedures, training manuals, notices, and forms;
- Update the Missouri Driver Guide and the Department website; and
- Train staff.

#### FY 2020 - Driver License Bureau

Administrative Analyst I	1176 hrs. @ \$14.70 per hr.	= \$17,287
Management Analysis Spec II	1176 hrs. @ \$20.57 per hr.	= \$24,190
Revenue Manager	1008 hrs. @ \$20.59 per hr.	= \$20,755
Total		= \$62,232

#### FY 2020 - Personnel Services Bureau

Administrative Analyst III	336 hrs. @ \$19.80 per hr.	= \$6,653
Management Analysis Spec I	336 hrs. @ \$18.42 per hr.	= \$6,189
Total		= \$12,842

**Total Costs** = **\$75,074**

**Oversight** assumes DOR may hire additional staff due to the amount of hours required to implement this proposal. However, DOR also may handle this internal work without seeking additional appropriation authority. Oversight assumes DOR may hire two additional FTE to staff for the two positions listed above that are anticipated to need over 1,080 of work. Therefore, Oversight will range the fiscal impact to DOR from \$0 (work hours specified above will be handled by existing staff with no actual additional state expenditures) to an additional 2 FTE for FY 2020 (\$100,783) only.

OA-ITSD services will be required at a cost of **\$127,494** (1,699.92 hours x \$75 per hour) in FY 2020.

ASSUMPTION (continued)

Administrative Impact (continued)

**Oversight** also notes ITSD assumes that every new IT project/system will be bid out because all their resources are at full capacity. For this bill, ITSD assumes they will contract out the programming changes needed to the MODL system. ITSD estimates the project would take 1,699.92 hours at a contract rate of \$75 per hour for a total cost to the state of \$127,494. Oversight notes that an average salary for a current IT Specialist within ITSD is \$51,618, which totals roughly \$80,000 per year when fringe benefits are added. Assuming that all ITSD resources are at full capacity, Oversight assumes ITSD may (instead of contracting out the programming) hire an additional IT Specialist to perform the work required from this bill. Therefore, Oversight will range the fiscal impact from the cost of contracting out the work (\$127,494) to hiring an additional FTE IT Specialist (roughly \$80,000 per year).

**DOR** notes below are the yearly number of MoDOT highway workers struck in work zones. The number of emergency responders is unknown, but is assumed that the statistics are similar.

<b>Year</b>	<b>Number</b>
2012	8
2013	4
2014	7
2015	12
2016	10
2017	5
2018	7
<b>Total</b>	<b>53</b>

The average total per year is 8 highway workers.

A Revenue Processing Tech I (RPT I) can process 48 revocations per day, including returned mail and other related documents. The Department assumes it can absorb the additional processing with existing staff. If the number of documents received is higher than anticipated, additional FTE will be requested through the appropriations process.

ASSUMPTION (continued)

Administrative Impact (continued)

**Oversight** does not have any information to the contrary in regards to DOR's assumptions; therefore, Oversight will not reflect a fiscal impact to DOR on the fiscal note.

Revenue Impact

A \$20 reinstatement fee is imposed for reinstatement of any license suspensions. Due to the low number of suspensions anticipated the expected revenue increase will be minimal.

Any fees collected would be distributed 75% Highway Fund, 15% Cities, and 10% Counties.

**Oversight** does not have any information to the contrary in regards to DOR's assumptions; therefore, Oversight will not reflect an increase in fine revenue on the fiscal note.

Officials at the **Office of Prosecution Services (OPS)** assume no measurable impact to their organization. The creation of a new crime creates additional responsibilities for county prosecutors which may in turn result in additional costs which are difficult to determine.

**Oversight** does not have any information to the contrary in regards to OPS' assumptions; therefore, Oversight will not reflect a fiscal impact to OPS as they have indicated they can absorb any costs from this proposal.

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

**Oversight** notes that the agencies mentioned above have stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these agencies.

Officials from the **City of Springfield, Springfield Police Department, Boone County Sheriff's Office, St. Louis County Department of Justice Services** and **Joplin Police Department** each assume the proposal will have no fiscal impact on their respective organizations.

ASSUMPTION (continued)

**Oversight** notes that the local law enforcement agencies mentioned above have stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these local law enforcement agencies.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other law enforcement agencies were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to [www.legislativeoversight.mo.gov](http://www.legislativeoversight.mo.gov).

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
<b>GENERAL REVENUE FUND</b>			
<u>Cost</u> - DOR - Administrative costs (ranged from using existing staff to hiring two (2) additional FTE for FY 2020)	\$0 to (\$100,783)	\$0	\$0
Cost - DOR - ITSD costs (ranged from contracting out programming (\$127,494) to hiring one (1) additional FTE IT Specialist)	(\$66,632) to <u>(\$127,494)</u>	\$0 to (\$80,631)	\$0 to (\$81,312)
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b>(\$66,632) to <u>(\$228,277)</u></b>	<b>\$0 to (\$80,631)</b>	<b>\$0 to (\$81,312)</b>
Estimated Net FTE Change for General Revenue	0 or 3 FTE	0 or 1 FTE	0 or 1 FTE
 <u>FISCAL IMPACT - Local Government</u>			
	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<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

This act gives the Director of the Department of Revenue the authority to revoke a driver's license upon notification by a law enforcement officer that an individual was involved in a physical accident where his or her vehicle struck a highway worker within a properly designated construction or work zone (Section 304.585, RSMo.), or emergency responder within a properly designated active emergency zone (Section 304.894, RSMo.).

Individuals whose driver's licenses have been revoked may apply for immediate reinstatement by retaking and passing the written and driving portions of the driver's examination, or may petition the circuit court in the county in which the accident occurred. The revocation may be stayed pending the outcome of the case, as specified in the act. The county prosecutor shall act on behalf of the Director of Revenue at the hearing. The hearing shall determine only whether the person was involved in a highway accident when a worker or emergency responder was hit, and whether Department of Transportation guidelines for notice and signage were properly implemented. If the court determines either condition to not be satisfied, the court shall order the Director to reinstate the individual's license.

Administrative rulings to reinstate a license under these provisions, and any related evidence, shall not be subject to subpoena or otherwise discoverable in any administrative, civil, or criminal case.

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 Transportation  
Department of Public Safety - Missouri Highway Patrol  
Office of the State Courts Administrator  
Office of Prosecution Services  
Office of the State Public Defender  
St. Louis County Department of Justice Services  
City of Springfield  
Springfield Police Department  
Boone County Sheriff's Office  
Joplin Police Department



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February 19, 2019

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