

OFFICE OF FISCAL ANALYSIS

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sSB-994

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, STUDYING AN EMERGENCY CONTACT INFORMATION DATABASE OR REVISIONS TO MOTOR VEHICLE RECORDS AND REQUIRING THE SAFETY DRIVING COURSE TO INCLUDE EDUCATION ON THE EFFECTS OF CANNABIS.

As Amended by Senate "A" (LCO 8599)

Senate Calendar No.: 189

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Department of Motor Vehicles	TF - Potential Revenue Loss/ Cost	See Below	See Below
Department of Emergency Services and Public Protection	Applicant Fingerprint Card Submission Account - Potential Revenue Gain	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain/ Loss	Minimal	Minimal
Judicial Dept. (Probation)	GF - Potential Cost	Minimal	Minimal
Resources of the Special Transportation Fund	TF - Potential Revenue Gain/ Loss	Minimal	Minimal

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact: None

Explanation

Various sections of the bill eliminate the separate license for "limited

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repairers," instead requiring those businesses to get "repairers" licenses. While the requirements for both types of licenses are similar, and both have a \$340 license fee, it's possible that a subset of limited repairers would opt not to transition to a repairers license, resulting in a potential minimal revenue loss to the Special Transportation Fund (STF) from fewer licensure fees. On average, limited repairer licenses result in annual revenue of less than \$20,000.

Section 14 requires driver school licensees to submit to a state background check when renewing their license, resulting in a potential revenue gain. The Department of Emergency Services and Public Protection (DESPP) conducts state background checks for a \$75 fee per person, paid to the General Fund (GF). State background checks also require fingerprinting, which DESPP conducts for a \$15 fee per person, paid to the Applicant Fingerprint Card Submission Account.¹

Section 15 permits courts to suspend the fine for a first-time violator of the car seat safety statutes if the violator acquires a car seat or booster seat, as appropriate, within 14 days of the violation, resulting in a potential revenue loss from fines. In FY 22, roughly \$13,000 was collected in revenue for car seat safety related violations.

Various sections of the bill make changes to penalties for counterfeiting vehicle registration, plates, or markers as well as operator licenses; these acts are now considered to be infractions. This could potentially result in a loss of revenue to both the STF (base fine) and GF (surcharge). In FY 22, \$1,626 was collected for violations for using a license or a registration other than that which was issued to a person and/or vehicle. In FY 22, \$150 was collected for violations for counterfeiting or loaning plates, markers, operator's licenses, or registrations.

These sections also make the offense of loaning or selling an operator license to another person a Class D misdemeanor. This results in a

¹ Funds in the non-lapsing Applicant Fingerprint Card Submission Account are used for IT support and maintenance for the fingerprinting systems.

potential cost to the Judicial Department and a potential revenue gain from fines. On average, the marginal cost for supervision in the community is less than \$800 each year.²

Section 27 requires the Department of Motor Vehicles (DMV) to offer the driver's license knowledge test in additional languages and requires the department to have these tests reviewed by a person fluent in such language. The DMV is currently developing the test in new languages; however, the amendment results in additional cost to the department to ensure the required review.

This section also allows the department to administer these tests in an audio format. To the extent the department converts the tests to an audio format, there would be additional costs.

Section 31 creates a new infraction for trespass of certain watershed land, resulting in minimal GF revenue gain from fines.

Section 32 expands the "move over" law, resulting in additional GF revenue from fines. In FY 22, violations of the current statutes resulted in fines totaling \$35,708.

Section 40 limits the \$20 fee for duplicate registrations to those requesting such duplicate at a DMV office or by a contractor. This is not expected to result in a fiscal impact because, according to DMV, this conforms to current agency practice.

The other sections of the bill are technical, make conforming changes, or otherwise do not have a fiscal impact to the state or municipalities.

Senate "A" alters the original bill by requiring the DMV to offer the knowledge test in additional languages and results in a cost to the department, as reflected above. The amendment also creates a new

² Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

infraction for certain trespass and expands the "move over" law, resulting in additional revenue from fines, as reflected above. The other provisions of the amendment have no fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of offenses or as otherwise described.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.