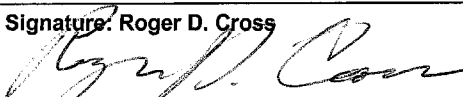


<b>1999 Session</b>		LRB Number <b>2220/3</b>
<b>FISCAL ESTIMATE</b> DOA-2048 N(R06/99)		Bill Number <b>SB456</b>
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> UPDATED <input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL		Amendment No. if Applicable
<b>Subject</b> Specialized transportation assistance program, minimum qualifications for the operator of a human service vehicle, inspection and registration of human service vehicles, granting a rule making authority and providing a penalty.		Administrative Rule Number
<b>Fiscal Effect</b> State: <input type="checkbox"/> No State Fiscal Effect Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.		
<input type="checkbox"/> Increase Existing Appropriation <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation		<input checked="" type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Decrease Costs
Local: <input type="checkbox"/> No local government costs		
1. <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
<b>Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S		<b>Affected Chapter 20 Appropriations</b>
<b>Assumptions Used in Arriving at Fiscal Estimate</b> <b>Conclusion:</b> State Costs: Indeterminable increase. State Revenue: None. Local Costs: Indeterminable increase for the Counties.		
<b>Basis for Conclusion:</b> 1. Parts of this proposal (Sections 3 and 4) do not apply to all operators of Human Services Vehicles (HSV). The Department of Health and Family Services certifies vehicles under its Medicaid Transportation Program as Special Medical Vehicles (SMV). These vehicles must be registered as HSV's but not all SMV's are part of a county transportation program. 2. Training on restraint systems and performing background checks of potential and current operators of HSVs will be done by the county agency, from DOJ or other states as necessary. The Division of State Patrol is currently sub-contracting with a private agency to obtain background checks, at \$30 per person checked. This may be an alternative for the counties. 3. DOT/Division of State Patrol: Some increase in FTE and costs if the Division of State Patrol was to conduct training throughout the state to the counties on obtaining background checks. The cost to conduct training at the DSP Academy is currently \$175 per person for a 16 hour class (2 days.) Costs may be higher at other locations. The number of classes to be conducted is not determinable. Since background checks are processed through the Department of Justice, it would be more efficient to have DOJ conduct the training on the use of their services. 4. The Division of State Patrol conducts inspections of Human Service Vehicles; if additional inspections are required, additional FTE for the DSP would be required. 5. DOT/Division of Transportation Investment Management: As proposed, contracts with the agencies shall prohibit DOT from making any payment to a county that violates the provisions. DOT currently executes contracts in		
<b>(Continued on next page)</b>		
<b>Long-Range Fiscal Implications</b>		
Prepared by: Eileen Ostrowsky	Telephone No. 266-1449	Agency DOT/DMV
Authorized Signature: Roger D. Cross 	Telephone No. 266-2233	Date March 14, 2000

**SB456 - Basis for Conclusion, continued:**

March or April each year, and makes a one-time payment to cover the entire calendar year. A requirement for the county to return the payment, or be denied payment in the following year is not specified.

6. DOT/Division of Motor Vehicles:

- It is not clear whether the proposal intends to require special licensing criteria for operator's of Human Services Vehicles (HSVs). Today, operators of HSVs may have a class D license (automobile and light truck) for some types of HSV operation (under 16 passengers; not a school bus) or a Commercial Driver's License for other HSV types (over 16 passengers; over 26,000 pounds) used to transport disabled or elderly persons. There is no special license or endorsement to specifically identify HSV operators. The data processing efforts and costs to develop a new class or endorsement would be significant, and have not been determined for this proposal.
- The proposal does not give DMV the authority to take any action on the driver's operating privileges as a result of the Human Service agency's periodic background check, the applicant's self-certification form, or the Appeal Hearing for Employment denial or proof of rehabilitation. Additional FTE for DMV to handle licensing actions would be required if action is specified.
- Under this proposal it appears that the determination of a "at fault" for an accident would be self certified by the applicant. Currently there is no definition of "at fault" in statute or rule. For law enforcement or DOT to determine "at fault," a specific definition and would be required. (The accident file and the citation file, maintained by DMV, are not electronically linked. Data Processing efforts and costs to connect the files would be significant, and have not been determined for this proposal.)
- Today a vehicle's status as a Human Services Vehicle is self-certified on the initial application for title. The proposal does not specify that proof of inspection again be provided when renewing the registration, which is generally in December,. There are currently about 2,200 HS vehicles registered. The Renewal Print Control Facility could be used to divert the "ZY" plate type to statements to request the proof of inspection; no DP work would be required.

(The vehicle inspection is a separate process from the registration. The inspection is now conducted annually by the Division of State Patrol, who provides the owner with 2 copies of the inspection form and a sticker to be displayed on the vehicle as evidence of inspection; One copy of the inspection form is retained by the DSP.)

7. This proposal requires DOT to conduct the hearing on employment denial as a result of the background check, and to conduct hearings related to determining "rehabilitation" of the offender from certain sex offenses. Since the HSV program requires Department of Health and Family Services oversight, it would be more relevant to have DHFS conduct these hearings. (Employment status and criminal "rehabilitation" status are not identified in DMV records.)
8. Local Costs: Increased costs to the Counties to process background checks and self-certification forms from applicants. (Increased costs if they sub-contract the background checks to a private company.)

**FISCAL ESTIMATE WORKSHEET**

**1999 Session**

Detailed Estimate of Annual Fiscal Effect  
DOA-2047 (R06/99)

LRB Number  
2220/3

Amendment No. if Applicable

Bill Number  
**SB456**

Administrative Rule Number

- ORIGINAL                       UPDATED  
 CORRECTED                       SUPPLEMENTAL

**Subject**

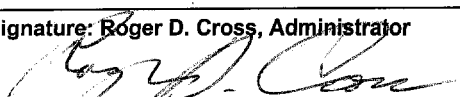
Specialized transportation assistance program, minimum qualifications for the operator of a human service vehicle, inspection and registration of human service vehicles, granting a rule making authority and providing a penalty.

**I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**  
None can be determined at this time.

<b>II. Annualized Costs:</b>		<b>Annualized Fiscal impact on State funds from:</b>	
		<b>Increased Costs</b>	<b>Decreased Costs</b>
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes		\$ indeterminable	\$ -
(FTE Position Changes)		( FTE)	(- FTE)
State Operations - Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs by Category		\$ 0	\$ -
<b>B. State Costs by Source of Funds</b>		<b>Increased Costs</b>	<b>Decreased Costs</b>
GPR		\$	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
<b>III. State Revenues</b>		<b>Increased Rev.</b>	<b>Decreased Rev.</b>
Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S			-
TOTAL State Revenues		\$	\$ -

**NET ANNUALIZED FISCAL IMPACT**

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$ indeterminable	\$
NET CHANGE IN REVENUES	\$ 0	\$

Prepared by: Eileen Ostrowsky	Telephone No. 266-1449	Agency DOT/DMV
Authorized Signature: Roger D. Cross, Administrator 	Telephone No. 266-2233	Date March 14, 2000