

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-0167/2	Introduction Number AB-70
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Subject

Safety belts and child safety restraints; creating surcharge and restraint program

Fiscal Effect

State:

- | | | |
|--|---|--|
| <input type="checkbox"/> No State Fiscal Effect
<input type="checkbox"/> Indeterminate
<input type="checkbox"/> Increase Existing Appropriations
<input type="checkbox"/> Decrease Existing Appropriations
<input checked="" type="checkbox"/> Create New Appropriations | <input type="checkbox"/> Increase Existing Revenues
<input checked="" type="checkbox"/> Decrease Existing Revenues | <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Decrease Costs |
|--|---|--|

Local:

- | | | |
|--|--|---|
| <input type="checkbox"/> No Local Government Costs
<input type="checkbox"/> Indeterminate
1. <input type="checkbox"/> Increase Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
2. <input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input checked="" type="checkbox"/> Increase Revenue
<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory
4. <input type="checkbox"/> Decrease Revenue
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of Local Government Units Affected
<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities
<input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others
<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
|--|--|---|

Fund Sources Affected	Affected Ch. 20 Appropriations
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.255(2)(s), 20.395(5)(gq)	

Agency/Prepared By	Authorized Signature	Date
DOT/ Dennis Hughes (608) 267-9075	Carol Buckmaster (608) 267-6979	2/11/2005

Fiscal Estimate Narratives

DOT 2/11/2005

LRB Number	05-0167/2	Introduction Number	AB-70	Estimate Type	Original
Subject					
Safety belts and child safety restraints; creating surcharge and restraint program					

Assumptions Used in Arriving at Fiscal Estimate

In addition to strengthening and clarifying state law on the use of safety seats for passenger vehicle occupants under age 8, this bill creates a new child safety restraint (CSR) enforcement surcharge of \$25 per violation. Money collected from the surcharge is deposited in the Transportation Fund, to be used exclusively for the new Child Safety Restraint System Program (CSRSP). The bill requires the Department of Transportation (DOT) to provide CSRSP funds to Children's Hospital and Health System (a tax exempt, non-profit organization) for the purchase and distribution by Safe Kids Wisconsin of child safety restraint systems to low income families, in accordance with standards established by rule by DOT. For purposes of this Fiscal Estimate, it is assumed that administration of the CSRSP grant program will have a minor, insignificant workload impact on DOT.

This bill also creates a new exemption for CSR violators from paying various additional fees currently associated with CSR violations and most other vehicle equipment or moving traffic violations (i.e. 24% penalty assessment, \$17 jail assessment/crime lab drug assessment, \$77 justice information fee/court support fee, \$25 circuit court costs).

For the first 6 months following the effective date of this bill, law enforcement officers can only issue written warnings, not citations, for CSR violations, provided the person has not received a CSR warning or citation within the 6-month warning-only period. These written warnings will be submitted to DOT to be kept on file under Wis. Stats. 342.23(2)(a).

For purposes of this Fiscal Estimate, it is assumed that DOT will not create a CSR violation warning form for use by all law enforcement agencies (i.e. DOT will not create an electronic notation in the Driver Record File), that CSR warning documentation received by DOT will be kept on file only in paper form and only for the duration of the 6-month warning-only period, and that DOT will respond to phone inquiries regarding warnings on file only during normal business hours, Monday-Friday.

It is assumed that DOT will receive 1,600 telephone inquiries during the 6-month warnings-only period to verify if a prior CSR warning is on file. At an average 5.4 minutes per call, the anticipated workload impact is as follows: $1,600 \times 5.4 = 8,640$ minutes = 0.08 FTE staff impact

This additional workload can be absorbed by DOT with existing staff resources during the 6-month warnings-only period.

It is assumed the bill will lead to greater compliance with the CSR law, resulting in a 25% reduction in the number of CSR convictions, except there will be no CSR convictions arising from traffic stops during the 6-month warning-only period.

Under current law, on 1st offense, a CSR violator is subject to a forfeiture of not less than \$10 nor more than \$25, and for a 2nd or subsequent offense (within 3 years) a CSR violator is subject to a forfeiture of not less than \$25 nor more than \$200. The current Uniform State Traffic Deposit Schedule (established by the Wisconsin Judicial Conference) sets the standard forfeiture for CSR offenses at \$10 for 1st offense, \$50 for 2nd offense, and \$100 for third or subsequent offense. Under the current formula, additional fees and costs total \$121.40 for 1st offense, \$131.00 for 2nd offense, and \$143.00 for 3rd or subsequent offense.

This bill increases the minimum forfeiture for 1st offense CSR violations to \$50 each. The minimum forfeiture for repeat CSR offenses would be \$75 each. It is assumed the Uniform Deposit Schedule would be adjusted to reflect the higher minimum for 1st offense and 2nd offense violations, but there would be no change for 3rd or subsequent offenses.

According to DOT records, there were 3,473 CSR convictions in 2004. Of these, 2,974 were for 1st offense and

186 were for 2nd offense, and 38 were for 3rd or subsequent offense.

It is assumed that CSR violators, like most traffic law violators, do (and will continue to) actually pay only 75% of all forfeitures, fees and costs imposed on them and that there will be a 25% decrease in the number of CSR convictions (except there will be no citations issued during the initial 6-month warnings-only period). Therefore, the annual revenue impacts are estimated to be as follows:

Annual CSR-related FORFEITURE REVENUES under CURRENT LAW

1st offense: $2,974 \times \$10 \times .75 = \$22,305$

2nd offense: $186 \times \$50 \times .75 = \$ 6,975$

3+ offense: $38 \times \$100 \times .75 = \$ 2,850$

TOTAL = \$32,130

(*50% to the Common School Fund & 50% to the county in which the violation occurs*)

Annual CSR-related ADDITIONAL FEES & COSTS REVENUES under CURRENT LAW

1st offense: $2,974 \times \$121.40 \times .75 = \$270,783$

2nd offense: $186 \times \$131 \times .75 = \$ 18,275$

3+ offense: $38 \times \$143 \times .75 = \$ 4,076$

TOTAL = \$293,134

Annual CSR-Related FORFEITURE REVENUES under PROPOSED LAW

1st offense: $2,974 \times \$50 \times .75 \times .75 = \$83,644$

2nd offense: $186 \times \$75 \times .75 \times .75 = \$ 7,847$

3+ offense: $38 \times \$100 \times .75 \times .75 = \$ 2,138$

TOTAL = \$93,629

(*50% to the Common School Fund & 50% to the county in which the violation occurs*)

(**Reduce by 50% for warnings-only in 1st 6-months**)

Annual New CSR SURCHARGE REVENUES under PROPOSED LAW

1st offense: $2,974 \times \$25 \times .75 \times .75 = \$41,822$

2nd offense: $186 \times \$25 \times .75 \times .75 = \$ 2,616$

3+ offense: $38 \times \$25 \times .75 \times .75 = \$ 534$

TOTAL = \$44,972

(*To new CSRSP program administered by Safe Kids Wisconsin*)

(**Reduce by 50% for warnings-only in 1st 6-months**)

Annual CSR-related OTHER ADDITIONAL FEES & COSTS REVENUES under PROPOSED LAW

1st offense: $2,974 \times .75 \times .75 \times \$0 = \$0$

2nd offense: $186 \times .75 \times .75 \times \$0 = \$0$

3+ offense: $38 \times .75 \times .75 \times \$0 = \$0$

TOTAL = \$0

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

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LRB Number 05-0167/2		Introduction Number AB-70	
Subject			
Safety belts and child safety restraints; creating surcharge and restraint program			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes	\$		
(FTE Position Changes)			
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category	\$		\$
B. State Costs by Source of Funds			
GPR			
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
	Increased Rev	Decreased Rev	
GPR Taxes	\$		\$
GPR Earned	30,750		-293,134
FED			
PRO/PRS			
SEG/SEG-S	44,972		
TOTAL State Revenues	\$75,722		\$-293,134
NET ANNUALIZED FISCAL IMPACT			
	State	Local	
NET CHANGE IN COSTS	\$		\$
NET CHANGE IN REVENUE	\$-217,412		\$
Agency/Prepared By	Authorized Signature		Date
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