

### Fiscal Estimate - 2005 Session

Original       Updated       Corrected       Supplemental

LRB Number **05-3631/2**      Introduction Number **AB-966**

**Description**  
Vehicle owner liability for violations arising from the failure to stop at the scene of an accident and providing a penalty

**Fiscal Effect**

**State:**

- No State Fiscal Effect
- Indeterminate
  - Increase Existing Appropriations
  - Decrease Existing Appropriations
  - Create New Appropriations
  - Increase Existing Revenues
  - Decrease Existing Revenues
  - Increase Costs - May be possible to absorb within agency's budget
    - Yes       No
  - Decrease Costs

**Local:**

- No Local Government Costs
- Indeterminate
  - 1.  Increase Costs      3.  Increase Revenue
  - Permissive  Mandatory       Permissive  Mandatory
  - 2.  Decrease Costs      4.  Decrease Revenue
  - Permissive  Mandatory       Permissive  Mandatory
- 5. Types of Local Government Units Affected
  - Towns       Village       Cities
  - Counties       Others
  - School Districts       WTCS Districts

**Fund Sources Affected**      **Affected Ch. 20 Appropriations**  
 GPR    FED    PRO    PRS    SEG    SEGS

<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
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## Fiscal Estimate Narratives

CTS 2/20/2006

LRB Number	05-3631/2	Introduction Number	AB-966	Estimate Type	Original
<b>Description</b> Vehicle owner liability for violations arising from the failure to stop at the scene of an accident and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

This bill imposes liability upon the owner of a vehicle operated in the commission of a failure-to-stop violation. The owner is liable for the failure-to-stop violation, subject to certain limited defenses. The owner has a defense to liability if the vehicle had been stolen at the time of the violation or if the owner provides the traffic officer with the name and address of the person who was operating the vehicle at the time of the violation and there is not probable cause to believe that the vehicle owner was operating the vehicle at the time of the violation. Lessors and dealers of vehicles may assert similar types of defenses. The owner also may not be liable if the vehicle operator has been convicted of the failure-to-stop violation. If an owner is liable for a failure-to-stop violation involving an unattended vehicle or damage to property other than a vehicle, the owner is subject to a forfeiture of not more than \$100. If an owner is liable for any other failure-to-stop violation, the owner is subject to a forfeiture of not more than \$1,000.

It is unknown how many cases will be subject to the terms of this bill. Additional proceedings require additional judge, court reporter, and court staff time. These costs are borne by both the state and the county or by the municipal court involved. An accurate estimate of the additional costs is impossible with the data available, but it is likely to have a minor impact on the overall workload of the circuit courts.

In addition, convictions for violation of this new provision should result in additional forfeitures imposed and collected. These forfeitures, and the attendant surcharges that are attached to the forfeitures, should result in additional revenues for the state and the counties or municipalities that bring this forfeiture action.

### Long-Range Fiscal Implications