

Fiscal Estimate Narratives

DOT 2/27/2008

LRB Number	07-3225/1	Introduction Number	AB-0818	Estimate Type	Original
Description Motor vehicle operating privileges, seizures by courts or law enforcement officers of operator's licenses, and reinstatement of canceled identification cards					

Assumptions Used in Arriving at Fiscal Estimate

BILL SUMMARY

The proposal contains six primary provisions:

1. License confiscation

In current law if a court suspends a driver license they are required to immediately take possession of the license and forward it to the DOT, along with the order of suspension. Likewise a law enforcement officer who arrests someone for OWI must take possession of the license.

This proposal removes the requirement that a court must confiscate the license. IF they choose to confiscate, they are required to destroy it rather than forward it to the DMV. It also prohibits a law enforcement officer from taking possession of the driver license of a person arrested for OWI.

2. Reinstatement

In current law the driver license reinstatement process varies by whether the license was revoked, suspended, cancelled or disqualified. Some reinstatements must be done in person, some require a new license to be issued, and in some cases the license issued is for an abbreviated amount of time.

This proposal applies the reinstatement process consistently across the board, allowing DMV to accept a reinstatement without an appearance by the individual at a DMV office, and allowing the individual to retain the license they previously held with the same expiration date.

3. 4TH offense OWS

In current law if an individual is convicted of four operating while suspended, operating after revocation, or operating while disqualified charges, or a combination of those charges, within a 5-year period, the court is required to revoke their operating privilege. If the court fails to order a revocation, DMV is required to administratively impose it.

This proposal allows a court to have discretion on a 4th offense OWS, OAR or OWD, and removes the requirement that DMV administratively revoke in that scenario.

4. After application suspensions

In current law, some driver license suspensions, specifically juvenile non-driving offenses, don't begin until the individual appears at a DMV office and files an application.

This proposal would change the provisions on when these specific suspensions would begin, making them effective when the individual is eligible for a license, rather than when they file an application.

5. Consecutive suspensions

This proposal would allow a court to order that an revocation resulting from an OWI run concurrent with any other revocation the individual is subject to, regardless of whether it arose from the same incident.

6. Non-resident reinstatement

In current law when an individual moves to Wisconsin from another state, DMV does a review of their previous driving record, and if offenses are found for which the individual would've been revoked or suspended in Wisconsin, action is taken on them as if the offense had been committed here. In some cases this results in a revocation of the new residents operating privilege.

This bill allows new residents who have served their time in their previous state to be licensed in Wisconsin and not face a new, unanticipated revocation or suspension.

ASSUMPTIONS

Most of the provisions have minor impacts on Department workload and revenue. Many of the provisions

establish consistency in procedure and convenience for handling of customers.

1. License confiscation

This provision could cause less visits to DMV offices to have state ID cards issued. Fewer visits to DMV offices will result in labor savings while fewer state ID's issued will result in a decrease in revenue.

2. Reinstatement

This provision would cause a reduction in visits to DMV offices for the purposes of reinstatement. Fewer visits to DMV offices will result in labor savings. Allowing revocation reinstatements to maintain their existing expiration date, rather than issuing a 2-year license, will result in a decrease in revenue.

3. 4th offense OWS

This provision would require data processing work for updating the DMV systems to not process an automatic revocation when receiving a fourth offense OWS/OAR/OWD conviction. DP estimate is \$3400. This provision may result in a reduction in the number of individual's revoked. Generally speaking a reduction in the number of revocations will result in a decrease in revenue due to a reduced collection of reinstatement fees. However, in this case the individuals impacted would already be under license withdrawal and be subject to a reinstatement fee. Therefore revenue is not impacted. A reduction in the number of revocations processed will result in labor savings.

4. After application suspensions

This provision would cause a reduction in visits to DMV offices by not requiring a visit to begin a suspension period. Fewer visits to DMV offices will result in labor savings.

5. Consecutive suspensions

This provision has no administrative impacts. Assembly Amendment 1 (LRBa1283/1) would remove this provision.

6. Non-resident reinstatement

This provision may cause a reduction in the number of withdrawals processed for new residents. However, the bulk of the work for these circumstances lays in the review of the new residents record which is still required under this provision.

CONCLUSION

Final fiscal impacts for this proposal are still being determined, therefore the fiscal effect is indeterminate. The proposal contains many provisions that result in efficiencies for the Department, and some provisions that may result in a reduction in revenue.

License confiscation: labor savings, reduced revenue

Reinstatement: labor savings, reduced revenue

4th offense OWS: labor savings

After application suspensions: labor savings

Consecutive suspensions: no fiscal effect

Non-resident reinstatement: no fiscal effect

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2007 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Description Motor vehicle operating privileges, seizures by courts or law enforcement officers of operator's licenses, and reinstatement of canceled identification cards			
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		
	FED		
	PRO/PRS		
	SEG/SEG-S		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
	NET CHANGE IN COSTS	\$	\$
	NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		Authorized Signature	Date
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