



## Fiscal Estimate Narratives

DOT 12/21/2011

LRB Number	11-2115/2	Introduction Number	AB-0411	Estimate Type	Original
<b>Description</b> Impounding vehicles used in certain drunken driving offenses and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

#### State Impact

The bill only applies to persons convicted of an OWI; an ordered seizure would necessarily follow adjudication. It is expected that seizure and impoundment would be carried out by the local law enforcement agency with jurisdiction in the county or municipality where the vehicle is stored. It is unlikely that this task would ever fall to State Patrol. Thus, there is no expected fiscal impact to the state.

#### Local Impact

It is expected that there could be a substantial fiscal impact on local law enforcement agencies. According to DOT figures for 2010, approximately 23,000 individuals were convicted of a first OWI offense, with an additional 12,000 individuals convicted of subsequent OWI offenses. Under this bill, each of these individuals would be subject to an impoundment penalty. The cost of impounding a vehicle varies by towing company, and ranges from \$20 to \$50 a day depending on vehicle size.

Under the bill, the individual guilty of an OWI offense must pay the costs of impoundment. It is unclear how that would be enforced, or at what point in the process such payment would occur. It is to be expected that some percentage of individuals would be unable or unwilling to pay the required impound fee. Thus, unpaid fees could be absorbed by some local entity. The bill does not specify whether this would be the towing company, the impound facility owner, or the initiating law enforcement agency.

It is unknown what the exact cost to local entities would be. It is also unknown what percentage of individuals would fail to comply with the reimbursement order. To provide an idea of the fiscal effect to local entities, the table below lists the unremitted dollar figure that would result from various daily impound costs at various non-compliance rates.

	\$20/day	\$30/day	\$40/day	\$50/day
05% non-compliance	\$1,410,000	\$2,115,000	\$2,820,000	\$3,525,000
10% non-compliance	\$2,820,000	\$4,230,000	\$5,640,000	\$7,050,000
15% non-compliance	\$4,230,000	\$6,345,000	\$8,460,000	\$10,575,000
20% non-compliance	\$5,640,000	\$8,460,000	\$11,280,000	\$14,100,000
25% non-compliance	\$7,050,000	\$10,570,000	\$14,100,000	\$17,625,000

These are statewide costs, and would be distributed among local entities. It should not be assumed that these costs would be evenly distributed, nor that local entities are equally capable of absorbing such costs.

### Long-Range Fiscal Implications