

FISCAL ESTIMATE  
DOA-2048 N(R10/94)

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
AB 221 (LRB2141/2)  
Amendment No. if Applicable

Subject Operating a motor vehicle while under the influence; installation of an IID; safe-ride grant program, etc.; making an appropriation and providing penalties.

Fiscal Effect

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget  Yes  No

Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation

Decrease Costs

Local:  No local government costs

1.  Increase Costs  
     Permissive     Mandatory  
2.  Decrease Costs  
     Permissive     Mandatory

3.  Increase Revenues  
     Permissive     Mandatory  
4.  Decrease Revenues  
     Permissive     Mandatory

5. Types of Local Governmental Units Affected:  
 Towns       Villages       Cities  
 Counties     Others \_\_\_\_\_  
 School Districts       WTCS Districts

Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

Affected Ch. 20 Appropriations

20.395(5)cq, 20.395(5)er

Assumptions Used in Arriving at Fiscal Estimate

Conclusion:

- No data processing changes are required.
- DMV: 13.5 FTE (TCR4 @ \$36,900) for salary and fringe of \$498,200 for increased juvenile alcohol suspensions. One time costs of \$116,830 to equip 14 people @ \$8,345 for PC equipment, phone, and materials and supplies.
- DMV: Increasing forfeitures results in an indeterminable increase in failure to pay forfeiture cases. This also results in an increase in operating while suspended (OWS) and operating after revocation (OAR) cases.
- DMV: There may be a net "no change" in title stop work because of making title stops include all arrests, and a reduction because vehicle seizure becomes an option.
- DSP: Indeterminable increase in costs for new chemical test coordinators to handle a additional legal challenges related to BAC/OWI.
- Trans Fund revenue for increase in occupational licenses and reinstatements for juvenile alcohol suspensions = \$1,209,300.
- New appropriation revenue for Safe Ride grant program grants of about \$37,400.
- BOTS: Indeterminable costs to administer Safe Ride program.
- Local costs: Indeterminable increase in costs for new chemical test coordinators to handle a additional legal challenges related to BAC/OWI.

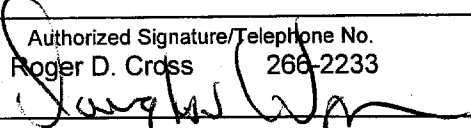
Basis for conclusion:

**Mandatory operating privilege suspension for underage alcohol (juvenile alcohol suspensions):**

- Approximately 1/3 of those convicted of juvenile alcohol violations were reported to DOT for driver license suspension in 1998. Note: Some courts do not report the conviction to DOT if a court mandated treatment or education program is completed.
  - The number of convictions was approximately 40,000; the number of suspensions was 12,200.
  - Making the suspension mandatory would increase the juvenile alcohol suspensions by about 27,800 cases annually. (40,000 - 12,200 = 27,800) This is a conservative estimate because there is no way of knowing how many convictions are being "dismissed" by courts for successful completion of voluntary education or treatment programs.
- Processing the suspensions. 27,800 x 16.2 minutes per unit (Bureau of Driver Services) = 4.35 FTE  
(1 production FTE = 1,725 hours)

Long-Range Fiscal Implications

Increasing Juvenile Alcohol suspensions forces DMV to continue to rely on overtime and LTE funding to keep up with the increasing demand on DMV resources for processing non-driving related suspensions. In the absence of these funds, significant backlogs occur in entering convictions on the driving record which can result in serious problems for law enforcement, courts and prosecutors.

Agency/Prepared by: (Name & Phone No.) DOT/DMV Eileen Ostrowsky (608) 266-1449	Authorized Signature/Telephone No. Roger D. Cross      266-2233 	Date 3/18/99
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**Mandatory operating privilege suspension for underage alcohol (juvenile alcohol suspensions), continued:**

- About 55% actually reinstate.  $55\% \times 27,800 = 15,290$  cases.  
 $15,290 \times 18.5$  minutes to handle a reinstatement (Bureau of Field Services) = 2.73 FTE.
- About 40% get an occupational license.  $40\% \times 27,800 = 11,120$  cases.  
 $11,120 \times 25.8$  minutes to issue an occupational license (BFS) = 2.77 FTE.  
 $11,120 \times 15.1$  minutes to issue an occupational license (BDS) = 1.62 FTE
- 50% of those convicted contact DMV by phone for information (BDS).  $50\% \times 27,800 = 13,900$  cases.  $13,900 \times 5$  minutes = .67 FTE.
- 20% of those obtaining an occupational license contact DMV by phone for information (BDS).  $20\% \times 27,800 = 5,560$  cases.  $5,560 \times 5$  minutes = .27 FTE.
- About 25% have a reduction in penalty, requiring record changes.  $25\% \times 27,800 = 6,950$  cases.  $6,950 \times 16.2$  minutes per reduction case = 1.09 FTE.
- Additional revenue from increased Juvenile alcohol caseload = \$1,209,300. (For occupational license and reinstatement only; see below for increased revenue for Safe Ride Program):  
About 40% get an occupational license.  $40\% \times 27,800 = 11,120$  cases.  $11,120 \times \$40 = \$444,800$   
About 55% actually reinstate.  $55\% \times 27,800 = 15,290$  cases.  $15,290 \text{ cases} \times \$50 = 764,500$ .

**Blood Alcohol Concentration:**

- If there are a substantial number of additional BAC/OWI challenges in court, and the Division of State Patrol (DSP) chemical test coordinators are required to provide additional expert testimony beyond the current level, the DSP would have to hire additional Coordinators and would incur additional costs for travel, lodging, meals and overtime. (Average annual salary, including fringe is \$21,874.)
- Increase in costs due to increase in testing at lower illegal BAC and for any re-testing due to increase in penalties.

**Seizure of Vehicle Not Required on 4<sup>th</sup> offense:**

- DMV: Reduce the number of stop flags on title processing.
- DSP and local law enforcement: Any reduction in vehicle seizures reduces law enforcement costs. (Towing, up to \$100; storage, up to \$35 per day; court forfeiture filing fee, \$120.)

**Safe Ride Program:**

- In 1998, an Ignition Interlock Device (IID) was ordered for 1,698 cases. It is unknown whether courts will order IID more frequently.
- About 40% get an occupational license.  $40\% \times 1,698 = 679$  cases.  $679 \times \$30.10$  Safe Ride fee on occupational license = \$20,400.
- About 55% of those suspended reinstate. The Safe Ride fee is only applicable to those with an IID ordered who did not pay the Safe Ride fee when obtaining an occupational license.  $1,698 \text{ cases} - 679 \text{ occupational licenses} = 1,019$  cases.  $55\% \times 1,019 = 560$  reinstatement cases.  $560 \text{ reinstatement cases} \times \$30.40 = \$17,000$ .
- Total estimated revenue for Safe Ride Program = \$37,400.

**FISCAL ESTIMATE WORKSHEET**

**1999 Session**

Detailed Estimate of Annual Fiscal Effect  
DOA-2047 (R1298)

ORIGINAL     UPDATED  
 CORRECTED     SUPPLEMENTAL

LRB or Bill No./Adm. Rule No. AB-221 L(RB2141/2)	Amendment No.
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Subject **Operating a motor vehicle while under the influence; installation of an IID; safe-ride grant program, etc.; making an appropriation and providing penalties.**

**I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**

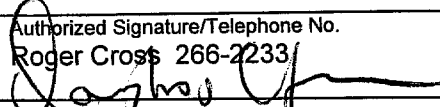
Equip 14 people x \$8,345 = \$116,830

**II. Annualized Costs:**

	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>		
State Operations - Salaries and Fringes	\$ 498,200	\$ -
(FTE Position Changes)	(13.5 FTE)	(- FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
<b>TOTAL State Costs by Category</b>	<b>\$ 498,200</b>	<b>\$ -</b>
<b>B. State Costs by Source of Funds</b>		
GPR	\$	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S	498,200	-
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>		
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S	1,246,700	-
<b>TOTAL State Revenues</b>	<b>\$ 1,246,700</b>	<b>\$ -</b>

**NET ANNUALIZED FISCAL IMPACT**

	STATE	LOCAL
NET CHANGE IN COSTS	\$ 498,200	\$indeterminable
NET CHANGE IN REVENUES	\$1,246,700	\$indeterminable

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