

LRB or Bill No./Adm. Rule No.  
AB142 (99-1345/1)

Amendment No. if Applicable

FISCAL ESTIMATE  
DOA-2048 N(R1298)

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

**Subject**

Installation of ignition interlock devices in cases involving refusals to take a test to determine an individual's blood alcohol concentration and involving the criminal offense of intoxicated driving.

**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)

**Conclusion:**

1. No DP impact.
2. DMV FTE impact of less than .4 FTE can be absorbed.
3. DSP believes that additional IID caseload (calibration, installation and maintenance) could be absorbed as long as their responsibilities under Trans 313 are not expanded. Also note that the costs recovered by the sale of a seized vehicle rarely cover the costs to the Patrol (or any law enforcement agency) to handle the seizure: more than \$100 for towing; up to \$35 per day for storage in a private lot; up to \$120 court forfeiture filing fee.
4. Impact on local law enforcement is unknown, but probably minimal because the estimated new cases would be distributed across all law enforcement agencies. See point 3.

**Basis for Conclusion:**

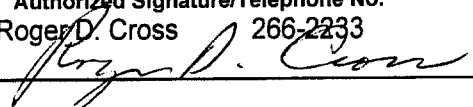
1. In 1997 there were 29,772 OWI convictions: 1<sup>st</sup> = 21,371; 2<sup>nd</sup> = 4,056; 3<sup>rd</sup> or more = 4,345 (Total 2<sup>nd</sup> and 3<sup>rd</sup> or more convictions = 8,401.)
2. Currently, an IID or a vehicle immobilization is a mandatory restriction for an occupational or regular license on 3<sup>rd</sup> and subsequent offenses.
3. In 1997 courts ordered 1,698 IIDs for an occupational or regular license restriction. 1,698 IID orders is about 20% of the 8,401 potential IID population. There is no indication that the courts will order an IID more frequently because of this proposal. (The courts ordered 298 immobilizations and 145 seizures.)
4. In 1997 there were 4,174 convictions for BAC-refusals. The occurrence of a BAC refusal as 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> or more in relation to previous OWI convictions is not known. The increase in IID cases because of this proposal is estimated at 20% x 4,174 BAC-refusals = 835 new IID cases.
5. The estimated increase in IIDs ordered for criminal charges on a second OWI conviction is indeterminable because the IID may also be ordered for an occupational license.

**Long-Range Fiscal Implications**

Agency/Prepared by: (Name & Phone No.)  
DOT/DMV Eileen Ostrowsky 266-1449

Authorized Signature/Telephone No.  
Roger D. Cross 266-2233

Date  
3/4/99



**FISCAL ESTIMATE WORKSHEET**

**1999 Session**

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

ORIGINAL     UPDATED  
 CORRECTED     SUPPLEMENTAL

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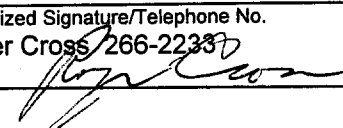
Subject Installation of ignition interlock devices in cases involving refusals to take a test to determine an individual's blood alcohol concentration and involving the criminal offense of intoxicated driving.

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):  
none

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$ 0	\$ -
(FTE Position Changes)	( FTE)	(- FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$	\$ -
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
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	\$0	\$unknown
NET CHANGE IN REVENUES	\$	\$

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