

### Fiscal Estimate - 2001 Session

Original       Updated       Corrected       Supplemental

<b>LRB Number</b> 01-3719/1	<b>Introduction Number</b> SB-324
<b>Subject</b> Passive alcohol sensors	
<b>Fiscal Effect</b>	
<b>State:</b>	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
<b>Local:</b>	
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b>	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
<b>Affected Ch. 20 Appropriations</b>	
<b>Agency/Prepared By</b>	<b>Authorized Signature</b>
DOT/ Loralee Brumund (608) 267-3622	Carol Buckmaster (608) 267-6979
<b>Date</b>	
11/30/01	

## Fiscal Estimate Narratives

DOT 11/30/01

LRB Number <b>01-3719/1</b>	Introduction Number <b>SB-324</b>	Estimate Type <b>Original</b>
<b>Subject</b>		
Passive alcohol sensors		

### Assumptions Used in Arriving at Fiscal Estimate

2001 SB 324 creates s.175.50, Wis.Stats., to prohibit law enforcement use of passive alcohol sensors for the purpose of detecting alcohol in a person's breath unless the person consents to its use.

The State Patrol currently does not use passive alcohol sensors to detect alcohol in a person's breath. The State Patrol, under authority identified in s.343.305(6)(b), Wis.Stats., and administrative rule Trans 311, has not approved passive alcohol sensors as reliable alcohol detection equipment for law enforcement use in Wisconsin. The State Patrol uses other breath testing equipment (e.g. PBT's and Intoximeters) to identify and quantify alcohol in a person's breath; a prohibition on the use of passive alcohol sensors will not have a fiscal impact on the State Patrol.

The Department of Transportation, Bureau of Transportation Safety (BOTS) annually applies for federal Section 410 incentive grant funding to promote traffic safety by combating alcohol-impaired driving. Additional "supplemental" funding through the Section 410 program, beyond the "basic" Section 410 funding received from a specific federal formula, could be obtained if Wisconsin could demonstrate that it has a program to deploy or encourage the use of passive alcohol sensors in the detection of alcohol-impaired drivers. A statutory limitation on the use of passive alcohol sensors in Wisconsin could result in the federal rejection of a DOT/BOTS application for supplemental Section 410 funding (the basic funding would still be available to Wisconsin). In the current federal fiscal year, supplemental Section 410 funding totalled approximately \$60,000 for each additional eligibility criterion that Wisconsin met (of which use of passive alcohol sensors is one criterion).

The Department of Transportation, under the direction of the Governor, is currently conducting a study on the effectiveness of passive alcohol sensors.

### Long-Range Fiscal Implications

unknown