

Fiscal Estimate - 2005 Session

Original Updated Corrected Supplemental

LRB Number 05-2095/1		Introduction Number AB-237	
Subject Drunken driving surcharge			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect			
<input type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations		<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	
Local:			
<input type="checkbox"/> No Local Government Costs			
<input checked="" type="checkbox"/> Indeterminate			
1. <input checked="" type="checkbox"/> Increase Costs		3. <input checked="" type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs		4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected			
<input type="checkbox"/> Towns		<input checked="" type="checkbox"/> Village	
<input checked="" type="checkbox"/> Counties		<input type="checkbox"/> Others	
<input type="checkbox"/> School Districts		<input type="checkbox"/> WTCS Districts	
<input checked="" type="checkbox"/> Cities			
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By DOT/ Timothy McClain (608) 267-5136		Authorized Signature Carol Buckmaster (608) 267-6979	Date 4/18/2005

Fiscal Estimate Narratives
DOT 4/18/2005

LRB Number 05-2095/1	Introduction Number AB-237	Estimate Type Original
Subject Drunken driving surcharge		

Assumptions Used in Arriving at Fiscal Estimate

This bill increases the driver improvement surcharge by \$100 (from the current \$355 to \$455). Presently this surcharge is imposed on convictions for certain driving while intoxicated (OWI) offenses. The surcharge does not apply to first offenders convicted under s.346.63 (1)(b) with a BAC equal to or greater than 0.08 percent and less than 0.10 percent.

Currently, 61.5% of the present \$355 goes to counties for programs related to community health, development disabilities, alcoholism and drug abuse and 38.5% is allocated to the State Treasurer to fund alcohol-related programs and to the State Patrol Chemical Test Section to purchase breath alcohol testing equipment and ongoing program expenses.

The additional \$100 collected from the OWI offender would be disbursed by the municipal or county circuit courts to the arresting law enforcement agency. The funds generated from the \$100 surcharge would be used by the recipient law enforcement agencies to purchase and maintain law enforcement equipment to assist in preventing alcohol-related and drug-related criminal activity. The municipal and circuit courts would likely incur costs to develop a system to collect and disperse the \$100 to the arresting law enforcement agency. However, it is not possible to estimate what these costs would be as they would vary from one jurisdiction to the next.

There are over 600 law enforcement agencies in Wisconsin, all of which would be potential recipients of the \$100 OWI surcharge. Because geographic locations for OWI violations throughout the state cannot be predicted with great precision, it is not possible to determine which law enforcement agencies would receive how much of the new funding. However, each year, the State Patrol typically makes approximately 11% of the total number of OWI arrests throughout the state. The assumption is made that the statutory language for a current WisDOT appropriation would be amended to allow WisDOT to receive these funds for use by the Wisconsin State Patrol.

The Division of Motor Vehicles (DMV) recorded 36,077 OWI convictions during 2004. It is estimated that there are approximately 111 first offenders convicted annually under s.346.63(1)(b) with a BAC equal to or greater than 0.08 percent and less than 0.10 percent. By law, these offenders are already exempt from the \$355 OWI surcharge, so the \$100 increase would not affect them. Therefore, an estimated 35,966 convictions would be subject to the OWI surcharge.

In addition, the DMV assumes a 37%, non-payment rate for OWI convictions. Thus, the potential for an annual statewide surcharge revenue increase of \$3.6 million is reduced to \$2.2 million with potential further reductions due to the higher surcharge including a greater percentage of non-payments.

Long-Range Fiscal Implications

Unknown

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-2095/1		Introduction Number AB-237	
Subject			
Drunken driving surcharge			
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 (242,000)	242,000	
	TOTAL State Revenues	\$242,000	\$
NET ANNUALIZED FISCAL IMPACT			
		State	Local
	NET CHANGE IN COSTS	\$	\$
	NET CHANGE IN REVENUE	\$242,000	\$2,000,000
Agency/Prepared By		Authorized Signature	Date
DOT/ Timothy McClain (608) 267-5136		Carol Buckmaster (608) 267-6979	4/18/2005