



## Fiscal Estimate Narratives

DOT 3/15/2005

LRB Number	05-0167/2	Introduction Number	AB-70	Estimate Type	Corrected
<b>Subject</b>					
Safety belts and child safety restraints; creating surcharge and restraint program					

### Assumptions Used in Arriving at Fiscal Estimate

In addition to strengthening and clarifying state law on the use of safety seats for passenger vehicle occupants under age 8, this bill creates a new child safety restraint (CSR) enforcement surcharge of \$25 per CSR violation and for each safety belt law violation. Money collected from the surcharge is deposited in the Transportation Fund, to be used exclusively for the new Child Safety Restraint System Program (CSRSP). The bill requires the Department of Transportation (DOT) to provide CSRSP funds to Children's Hospital and Health System (a tax exempt, non-profit organization) for the purchase and distribution by Safe Kids Wisconsin of child safety restraint systems to low income families, in accordance with standards established by rule by DOT. For purposes of this Fiscal Estimate, it is assumed that administration of the CSRSP grant program will have a minor, insignificant workload impact on DOT.

This bill also creates a new exemption for CSR violators from paying various additional fees currently associated with CSR violations and most other vehicle equipment or moving traffic violations (i.e. 24% penalty assessment, \$17 jail assessment/crime lab drug assessment, \$77 justice information fee/court support fee, \$25 circuit court costs).

For the first 6 months following the effective date of this bill, law enforcement officers can only issue written warnings, not citations, for CSR and safety belt violations, provided the person has not received a CSR or safety belt warning or citation within the 6-month warning-only period. These written warnings will be submitted to DOT to be kept on file under Wis. Stats. 342.23(2)(a).

For purposes of this Fiscal Estimate, it is assumed that DOT will not create a CSR and safety belt violation warning form for use by all law enforcement agencies (i.e. DOT will not create an electronic notation in the Driver Record File), that CSR and safety belt warning documentation received by DOT will be kept on file only in paper form and only for the duration of the 6-month warning-only period, and that DOT will respond to phone inquiries regarding warnings on file only during normal business hours, Monday-Friday.

It is assumed that DOT will receive 1,600 telephone inquiries during the 6-month warnings-only period to verify if a prior CSR warning is on file. In addition, 41,000 telephone inquiries will be received during the 6-month warnings-only period to verify if a prior safety belt warning is on file. It is assumed that limited term staff will handle these inquiries. At an average 5.4 minutes per call, the anticipated workload impact is as follows:  $(1,600 + 41,000) \times 5.4 = 230,040$  minutes = 3.7 LTE staff impact. At \$13.209/hour, the estimated salary and benefits cost is:  $3.7 \times \$13.209 \times 1040$  hours/LTE "year" = \$50,828

It is assumed the bill will lead to greater compliance with the CSR and safety belt law, resulting in a 25% reduction in the number of CSR and safety belt convictions, except there will be no CSR or safety belt convictions arising from traffic stops during the 6-month warning-only period.

Under current law, on 1st offense, a CSR violator is subject to a forfeiture of not less than \$10 nor more than \$25, and for a 2nd or subsequent offense (within 3 years) a CSR violator is subject to a forfeiture of not less than \$25 nor more than \$200. The current Uniform State Traffic Deposit Schedule (established by the Wisconsin Judicial Conference) sets the standard forfeiture for CSR offenses at \$10 for 1st offense, \$50 for 2nd offense, and \$100 for third or subsequent offense. Under the current formula, additional fees and costs total \$121.40 for 1st offense, \$131.00 for 2nd offense, and \$143.00 for 3rd or subsequent offense.

This bill increases the minimum forfeiture for 1st offense CSR violations to \$50 each. The minimum forfeiture for repeat CSR offenses would be \$75 each. It is assumed the Uniform Deposit Schedule would be adjusted to reflect the higher minimum for 1st offense and 2nd offense violations, but there would be no change for 3rd or subsequent offenses.

Under current law, on 1st or subsequent offense, a safety belt law violator is subject to a \$10 forfeiture, but not to any additional surcharge or penalty assessment. This bill makes no change to the \$10 forfeiture.

According to DOT records, there were 3,198 CSR convictions in 2004. Of these, 2,974 were for 1st offense and 186 were for 2nd offense, and 38 were for 3rd or subsequent offense. Also, according to DOT records, there were 82,089 safety belt convictions in 2004.

It is assumed that CSR and safety belt violators, like most traffic law violators, do (and will continue to) actually pay only 75% of all forfeitures, fees and costs imposed on them and that there will be a 25% decrease in the number of CSR and safety belt convictions (except there will be no citations issued during the initial 6-month warnings-only period). Therefore, the annual revenue impacts are estimated to be as follows:

**Annual CSR-related FORFEITURE REVENUES under CURRENT LAW 1st offense:**

2,974 x \$10 x .75 = \$22,305

2nd offense: 186 x \$50 x .75 = \$ 6,975

3+ offense: 38 x \$100 x .75 = \$ 2,850

TOTAL = \$32,130

(\*50% to the Common School Fund & 50% to the county in which the violation occurs\*)

**Annual Safety Belt-related FORFEITURE REVENUES under CURRENT LAW**

1st and Subsequent offense: 82,089 x \$10 x .75 = \$615,668

(\*50% to the Common School Fund & 50% to the county in which the violation occurs\*) Annual

**CSR-related ADDITIONAL FEES & COSTS REVENUES under CURRENT LAW**

1st offense: 2,974 x \$121.40 x .75 = \$270,783

2nd offense: 186 x \$131 x .75 = \$ 18,275

3+ offense: 38 x \$143 x .75 = \$ 4,076

TOTAL = \$293,134

**Annual Safety Belt-related ADDITIONAL FEES & COSTS REVENUES under CURRENT LAW**

1st and Subsequent offense: 82,089 x \$0 x .75 = \$0

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**Annual CSR-related FORFEITURE REVENUES under PROPOSED LAW**

1st offense: 2,974 x \$50 x .75 x .75 = \$83,644

2nd offense: 186 x \$75 x .75 x .75 = \$ 7,847

3+ offense: 38 x \$100 x .75 x .75 = \$ 2,138

TOTAL = \$93,629

(\*50% to the Common School Fund & 50% to the county in which the violation occurs\*) (\*\*Reduce by 50% for warnings-only in 1st 6-months\*\*)

**Annual Safety Belt-related FORFEITURE REVENUES under PROPOSED LAW**

1st and Subsequent offense: 82,089 x \$10 x .75 x .75 = \$461,751

(\*50% to the Common School Fund & 50% to the county in which the violation occurs\*) (\*\*Reduce by 50% for warnings-only in 1st 6-months\*\*)

**Annual New CSR-related SURCHARGE REVENUES under PROPOSED LAW**

1st offense: 2,974 x \$25 x .75 x .75 = \$41,822

2nd offense: 186 x \$25 x .75 x .75 = \$ 2,616

3+ offense: 38 x \$25 x .75 x .75 = \$ 534

TOTAL = \$44,972

(\*To new CSRSP program administered by Safe Kids Wisconsin\*)

(\*\*Reduce by 50% for warnings-only in 1st 6-months\*\*)

**Annual New Safety Belt-related SURCHARGE REVENUES under PROPOSED LAW**

1st and Subsequent: 82,089 x \$25 x .75 x .75 = \$1,154,377

(\*To new CSRSP program administered by Safe Kids Wisconsin\*)

(\*\*Reduce by 50% for warnings-only in 1st 6-months\*\*)

**Annual CSR-related OTHER ADDITIONAL FEES & COSTS REVENUES under PROPOSED LAW**

1st offense: 2,974 x .75 x .75 x \$0 = \$0

2nd offense: 186 x .75 x .75 x \$0 = \$0

3+ offense: 38 x .75 x .75 x \$0 = \$0

TOTAL = \$0

Annual Safety Belt-related ADDITIONAL FEES & COSTS REVENUES under PROPOSED LAW  
1st and Subsequent offense: 82,089 x \$0 x .75 = \$0

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**Long-Range Fiscal Implications**

## Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>05-0167/2</b>		<b>Introduction Number</b> <b>AB-70</b>	
<b>Subject</b>			
Safety belts and child safety restraints; creating surcharge and restraint program			
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>			
\$50,828 one-time cost impact on State DOT			
<b>II. Annualized Costs:</b>		<b>Annualized Fiscal Impact on funds from:</b>	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes		\$	
(FTE Position Changes)			
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
<b>TOTAL State Costs by Category</b>		<b>\$</b>	<b>\$</b>
<b>B. State Costs by Source of Funds</b>			
GPR			
FED			
PRO/PRS			
SEG/SEG-S			
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)</b>			
		Increased Rev	Decreased Rev
GPR Taxes		\$	\$
GPR Earned			-293,134
FED			
PRO/PRS			
SEG/SEG-S		1,199,349	
<b>TOTAL State Revenues</b>		<b>\$1,199,349</b>	<b>\$-293,134</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>			
		State	Local
NET CHANGE IN COSTS		\$	\$
NET CHANGE IN REVENUE		\$906,215	\$-92,418
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>	<b>Date</b>
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