

Fiscal Estimate Narratives

DOT 10/24/2007

LRB Number 07-2298/1	Introduction Number AB-0528	Estimate Type Original
Description The use of traffic control photographic systems to monitor intersections, imposing liability on the owners of vehicles involved in traffic control signal violations, and providing a penalty		

Assumptions Used in Arriving at Fiscal Estimate

See Attachment with tables.

Long-Range Fiscal Implications

Indeterminate.

2007 Assembly Bill 528 allows the governing body of a municipality to enact a traffic ordinance that permits the use of a traffic control photographic systems (TCPS) on highways under the jurisdiction of the county, city, village, or town to detect and identify motor vehicles that fail to stop at red light traffic signals at intersections. The vehicle owner's operating privilege may not be suspended or revoked and the owner may not be assessed any demerit points on his or her driving record.

State Fiscal Effect

The following assumptions were made in order to complete this fiscal estimate:

1. The bill is not amended to provide for a separate statutory violation section under s. 346.37, Wis. Stat.
2. Section 1/Subsection (2) of the bill is not amended to define "highways under the jurisdiction" of the municipality that enacts the ordinance.
3. Additional add-ons in the Uniform Deposit Schedule apply to forfeitures.
4. While the vehicle owner's operating privilege may not be suspended or revoked for violations under this law and the owner may not be assessed any demerit points on his or her driving record, failure to pay forfeiture amounts due may result in suspension of his or her drivers license.
5. The increase in Failure to Obey Signal (FOS) convictions will be estimated to be anywhere from 10% to 40% greater than current levels.

Under current law, the Division of Motor Vehicles (DMV) does not need to manually process FOS violations in order to assign/not assign demerit points. Under the proposed law, there would be additional expenses related to the manual processing of FOS violations in order to avoid assigning demerit points to 'owner-liability' FOS violations created by this bill. The increase in FOS violations is not easily estimated. Some studies suggest an increase in the range given above in the assumptions section. For the prior three years, an average of 37,373 FOS violations were adjudicated and processed in Wisconsin. If this legislation became a law, the manual processing of all FOS violations would be necessary in order to assign/not assign demerit points based on how the FOS citation was issued. The expense to the DMV for the processing adjudicated FOS violations with a 2.4-minute process time can be estimated to be:

Percent Increase	Violations	Hours Required	FTE TCR – 1*	Expense**
0%	37,373	1,495	.87	\$32,595
10%	41,110	1,644	.95	\$35,715
20%	44,848	1,794	1.04	\$38,965
30%	48,585	1,973	1.15	\$43,086
40%	52,322	2,093	1.21	\$45,459

*Full-time Employee Transportation Customer Representative 1 (1,725 hrs/year)

**Wage per hour including salary and fringe is \$21.72.

Proposed bill AB 528 may not adequately define "highways under the jurisdiction of the municipality." Strictly interpreted, the language means that TCPS cannot be used at signalized intersections of state trunk highways or county trunk highways within the municipal limits. If the intent is to allow the use of TCPS on any highway within the jurisdiction or municipal boundaries there would be an indeterminable expense to the Division of Transportation System Development related to assisting with signing and approving installation of the TCPS. It is believed that this expense could be absorbed within the agency.

The increase in the number of tickets issued for FOS would mean a corresponding increase in the number of suspensions for failure to pay the FOS tickets.

Local Fiscal Effect

There are many factors to take into account when considering the fiscal impact on a local basis, including:

1. The type of contract that the municipality would enter into – contractual terms vary from the city purchasing, installing, and maintaining equipment, to leasing the equipment for a flat fee or giving the TCPS company a percentage of the adjudicated tickets that are paid.

2. The number of intersections in which a municipality would install TCPS.
3. The number of officers employed by the county, village, or town to fulfill the requirement that an officer review and issue traffic citations generated through TCPS.

Assuming 5% of the tickets issued by TCPS are for repeat offenders, the following matrix shows the distribution of the forfeiture. If the municipality could operate their program at or below the ranges below, TCPS would not have a negative fiscal impact.

	10% above prior average	20% above prior average	30% above prior average	40% above prior average
	3,737	7,475	11,212	14,949
Amount to Municipality	<u>\$117,447.00</u>	<u>\$234,960.00</u>	<u>\$352,077.00</u>	<u>\$469,821.00</u>
DOJ LE Training	\$14,046.66	\$28,101.22	\$42,108.41	\$56,190.59
DPI/DHFS Alcohol & Drug Abuse Enforcement Program	\$3,664.35	\$7,330.75	\$10,948.8	\$14,658.42
DOJ Matching Fed Funded Anti-drug Enf. Program	\$4,885.80	\$9,774.34	\$14,646.40	\$19,544.55
DOC Training Corrections Officers	\$3,053.62	\$6,108.96	\$9,154.00	\$12,215.35
OJA Program Funds	\$1,526.81	\$3,054.48	\$4,577.00	\$6,107.67
DOJ Program Funds	<u>\$3,358.98</u>	<u>\$6,719.86</u>	<u>\$10,069.40</u>	<u>\$13,436.88</u>
Total Penalty Assessment	\$30,536.22	\$61,089.60	\$91,540.02	\$122,153.46
Jail and Crime Lab Surcharge	\$67,265.10	\$134,568.00	\$201,644.10	\$269,079.30
Muni Court (est. \$25)	<u>\$93,423.75</u>	<u>\$186,900.00</u>	<u>\$280,061.25</u>	<u>\$373,721.25</u>
Total Forfeiture	\$308,672.07	\$617,517.6	\$925,322.37	\$1,234,775.01