

Fiscal Estimate Narratives

DOT 3/3/2009

LRB Number	09-0933/2	Introduction Number	AB-0017	Estimate Type	Original
Description Requiring ignition interlock devices for certain motor vehicle violations, granting rule-making authority, making an appropriation, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

BILL SUMMARY

The proposal makes it mandatory for a judge to order a person's operating privilege be restricted, for a minimum of one year, to operating only vehicles equipped with an IID if the person is convicted of a first OWI-related offense with a blood alcohol concentration of 0.15 or more or the person is convicted of a second OWI-related offense. Additionally, it requires the judge to order that every motor vehicle the person owns be equipped with an IID. The person is required to pay to the Department a \$50 surcharge upon installation of the first IID. Finally, the proposal subjects a person who fails to have an IID installed to the same penalties as a person who removes, disconnects, tampers with, or otherwise circumvents the operation of the IID and adds a provision for imprisonment for not more than six months for the first offense and extends the period for which the IID is required by six months for each offense.

ASSUMPTIONS

This proposal would significantly increase the number of IID restrictions ordered by courts because it removes the courts discretion in many current OWI-related convictions and makes the restriction mandatory for all first offense OWI-related convictions with a blood alcohol concentration of 0.15 or more and all second and subsequent OWI related offenses.

This proposal seems to imply each time a device is serviced, the service provider shall review the data recorded in the device's memory and retain a copy of the data in the customer's file. Any tampering, circumvention, bypass or violation resets shall be immediately reported to the sheriff in the county where the customer resides. The sheriff would then need to issue the person a citation for violating s.347.413 and the court would need to convict the violator and report the conviction to the department along with an order extending the restriction under s. 343.301 (1) or (2m) or, if the court that ordered the IID restriction was a different court, report the conviction to that court so it may issue an order extending the restriction under s. 343.301 (1) or (2m). The department would then recalculate the IID restriction ending dates and reissue a driver licenses with IID restrictions extending that restriction date according to the court's order.

This proposal would eliminate the need to add notations to drivers registration records relating to the immobilization or seizure of their vehicles.

- 27,600 persons annually will be subject to an IID restriction as a result of this proposal.
- DMV will have an additional workload of entering IID restrictions data online. There would also be a very insignificant reduction of entering approximately 250 immobilization and seizure orders online annually.
- DMV will have an additional workload of extending IID restrictions and reissuing driver licenses for persons convicted of tampering with their IID.
- Local law enforcement will need to pursue an increased number of persons suspected of tampering with their IID.
- This proposal requires a person to provide proof of installation of an IID for each vehicle titled or registered in their name. There is a possibility that nearly 15,000 title transfer transactions may occur each year to avoid the need to install the IID on more than one vehicle.
- The annualized revenue should increase moderately each year for three years and then plateau. This document is prepared considering only the first year.

CONCLUSION

Additional DMV workload will result in 2.13 FTE/\$96,800

Long-Range Fiscal Implications

See above.

Fiscal Estimate Worksheet - 2009 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
There would be a one-time cost of approximately \$38,700 for information technology changes necessary to properly calculate restriction ending dates due to restriction starting dates beginning when a license is issued.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes	\$96,800		\$
(FTE Position Changes)	(2.1 FTE)		
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category	\$96,800		\$
B. State Costs by Source of Funds			
GPR			
FED			
PRO/PRS			
SEG/SEG-S	96,800		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)			
	Increased Rev	Decreased Rev	
GPR Taxes	\$	\$	
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S	705,000		
TOTAL State Revenues	\$705,000	\$	
NET ANNUALIZED FISCAL IMPACT			
	State	Local	
NET CHANGE IN COSTS	\$96,800	\$	
NET CHANGE IN REVENUE	\$705,000	\$	
Agency/Prepared By		Authorized Signature	Date
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