

Fiscal Estimate - 2011 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 11-0103/1	Introduction Number SB-521	
Description The immobilization or removal, impoundment, and disposal of motor vehicles for multiple nonmoving traffic violations		
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input checked="" type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input checked="" type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input checked="" type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input checked="" 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"/> Cities <input checked="" type="checkbox"/> Counties <input checked="" type="checkbox"/> Others <u>UW</u> <input type="checkbox"/> School Districts <input checked="" type="checkbox"/> WTCS Districts <u>Campuses</u>		
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.395(5)(cq)		
Agency/Prepared By DOT/ Reed McGinn (608) 266-7857	Authorized Signature Stephanie LaSage (608) 267-3703	Date 3/12/2012

Fiscal Estimate Narratives

DOT 3/12/2012

LRB Number	11-0103/1	Introduction Number	SB-521	Estimate Type	Original
Description The immobilization or removal, impoundment, and disposal of motor vehicles for multiple nonmoving traffic violations					

Assumptions Used in Arriving at Fiscal Estimate

PROVISIONS OF THE BILL

Current law allows local parking authorities to direct DOT to suspend registration on a vehicle involved in unpaid non-moving traffic violations, or refuse registration on any vehicles owned by the person, or both. This is under the Traffic Violation and Registration Program (TVRP).

This bill allows municipalities or counties another method to enforce parking violations. Under this bill, municipalities or counties may enact an ordinance providing for immobilization or impoundment of vehicles owned by "habitual parking violators" (any vehicles owned by the person, not just the vehicle involved in a violation). A habitual parking violator is a person who has received 3 or more non-moving traffic violations, more than 28 days previously, that remain unpaid or the person has not scheduled an appearance in court.

The municipality or county must give certain notice to the vehicle owner, and may combine the notice with any other notice that the municipality or county provides to the vehicle owner. A vehicle may be immobilized or impounded if parked – legally or illegally – on a street, highway, or publicly owned or leased parking facility within the municipal corporate limits.

The bill specifies the method that an owner may retrieve the vehicle; and if an owner does not retrieve the vehicle within a certain time, that the municipality may dispose of the vehicle.

FISCAL EFFECT

Presently, the Department administers the Traffic Violation and Registration Program (TVRP). Participating authorities may submit the names of certain persons with unpaid parking tickets to the Department, along with a fee, and the Department will revoke the registration of all vehicles owned by that person, and will bar the person from registering other vehicles owned by the person until the submitting authority releases the TVRP hold.

The Department accepts TVRP notifications electronically from the City of Milwaukee, and charges that city \$2.50 for every notification made. One electronic notification may include any number of citations written to the same individual. All other participating authorities remit names manually, and the Department charges those participants \$5.00 per citation remitted, so that ten citations written to the same person would result in \$50 in charges to the submitting authority. Authorities making manual notifications will, therefore, often submit just one citation from a repeat offender, but will require that offender to pay all outstanding citations before agreeing to release a TVRP hold.

The bill allows municipalities to use the immobilization procedure in lieu of the TVRP program for offenders with three or more unpaid non-moving citations. The Department does not collect data on the number of citations issued to the same person and, as previously mentioned, most participating authorities do not report multiple citations issued to the same offender. Furthermore, the bill places burdens upon municipalities using the immobilizer option that are likely to make that option attractive only to larger cities with significant unpaid citation backlogs.

In 2010, the City of Milwaukee processed 73,205 notifications through the Department's TVRP program, and the Department collected \$183,012.50 from the city to process these notifications. If the City of Milwaukee alone decided to avail itself of the opportunity to immobilize vehicles rather than reporting their owners to the TVRP program, and this reduced the number of vehicles reported by the city to the TVRP program by 50 percent, revenues to the Department would be reduced by approximately \$91,500 annually. If the City of Madison also reduced its TVRP submissions by 50 percent annually, Department revenues would be further reduced by \$33,990 annually. The actual reduction in Department revenues would depend heavily on the number and size of municipalities choosing immobilization over the TVRP program, as well as the percentage of unpaid parking tickets in those municipalities written to habitual offenders.

Local fiscal impact is indeterminate. The cost and the revenue to a local government would depend on how aggressively the government pursued this option for enforcing non-moving traffic violations. News reports for Milwaukee suggests up to 41,000 individuals could be subject to booting. If one boot is applied to one vehicle per eligible person, and the removal fee is \$5, one-time revenues to Milwaukee could be \$205,000. Ongoing revenues may fall as the backlog of unpaid tickets is reduced. Note that owner must pay all unpaid tickets to remove the boot. Municipalities choosing to immobilize vehicles instead of reporting them to TVRP would also reduce costs associated with submitting data to the TVRP program.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2011 Session

Detailed Estimate of Annual Fiscal Effect

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Description The immobilization or removal, impoundment, and disposal of motor vehicles for multiple nonmoving traffic violations			
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		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS		\$	\$INDETERMINATE
NET CHANGE IN REVENUE		\$	\$INDETERMINATE
Agency/Prepared By			
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		Stephanie LaSage (608) 267-3703	
		Date	
		3/12/2012	