

Fiscal Estimate Narratives

DOT 4/11/2011

LRB Number	11-0276/1	Introduction Number	AB-0055	Estimate Type	Original
Description Vehicle failure-to-yield violations					

Assumptions Used in Arriving at Fiscal Estimate

BILL SUMMARY

Under existing law, if a person is convicted of a failure-to-yield violation that results in bodily harm, great bodily harm, or death, a court shall suspend the person's operating privilege. Under this bill, if a person is convicted of a failure-to-yield violation that results in bodily harm, great bodily harm, or death, DOT must suspend the person's operating privilege, but a court cannot suspend the person's operating privilege under these circumstances. This DOT suspension must be for a period of two months if the offense resulted in bodily harm to another, three months if the offense resulted in great bodily harm to another, and nine months if the offense resulted in the death of another.

Currently, for any conviction for a violation of s.346.18, the convicting court must also order the person who commits the violation to attend a traffic safety school approved by the Department of Transportation (DOT) and conducted by a police department, sheriff's office, or regularly established safety organization. AB-55 requires DOT, instead of the court, to order a person to attend traffic safety school for a failure-to-yield violation. The traffic safety school must be conducted by a regularly established safety organization, a licensed driver school, or a provider of driver education courses and must be approved by DOT. A person, whose operating privilege has been suspended as a result of a failure-to-yield violation that results in injury or death, may not reinstate their operating privilege unless the person has successfully completed the traffic safety school.

ASSUMPTIONS

This proposal creates a new administrative suspension imposed by DOT upon receipt of a conviction from a court for a violation of s. 346.18, failure-to-yield, when the violation involves bodily injury, great bodily harm, or death of another. The length of the suspension period is determined by the severity of the injuries of those involved.

AB-55 also requires DOT to order a person convicted of a failure-to-yield violation to successfully complete a traffic safety school for a failure-to-yield violation. The school must be conducted by a regularly established safety organization, a licensed driver school, or a provider of driver education courses and must be approved by DOT. Regularly established safety organizations are not defined in any manner therefore it is believed most of the traffic safety courses will be conducted by licensed driving schools and providers of driver education courses.

Finally, this bill requires that if a person's operating privilege has been suspended because of a failure-to-yield violation that results in injury or death, DOT is prohibited from reinstating the person's operating privilege unless the person has successfully completed the traffic safety school.

This proposal creates a new administrative suspension imposed by DOT upon receipt of a conviction from a court for a violation of s. 346.18, failure-to-yield, when the violation involves bodily injury, great bodily harm, or death of another. The length of the suspension period is determined by the severity of the injuries of those involved. In 2010, there were 2,706 convictions for failure-to-yield violations where there was bodily injury or death involved.

The suspensions for failure-to-yield convictions will need to be manually processed due to the need to determine the severity of injury resulting from the crash. Manual processing requires the DMV employee to review the conviction and crash report and enter the data in the license withdrawal application which causes the suspension entry to be added to the violator's driving record and produces an order of suspension which is then mailed to the violator. A person suspended for a failure-to-yield violation is eligible to obtain an occupational license.

AB-55 requires DOT to order a person convicted of a failure-to-yield violation resulting in injury or death to successfully complete a traffic safety school course. The course for a failure-to-yield violation must be approved by DOT and must include specific areas of instruction. DOT would also need to license the schools or organizations approved to conduct the failure-to-yield course.

The proposal requires that if a person's operating privilege has been suspended because of a failure-to-yield violation that results in injury or death, DOT is prohibited from reinstating the person's operating privilege unless the person has successfully completed the traffic safety school. DOT must create a notation indicating traffic safety school must be completed prior to reinstatement which would be entered on a person's driving record at the time the operating privilege is suspended. The notation would be removed when DOT receives a certificate from the traffic safety school indicating the person has successfully completed. At that time, the person would be eligible to reinstate their operating privilege provided all other requirements are met.

CONCLUSIONS

In 2010, there were 2,706 convictions for failure-to-yield violations which caused bodily injury or death. It is assumed that since suspensions resulting from these types of convictions are now a DOT action, each person convicted would have their operating privilege suspended. Each of those persons suspended would be eligible to apply for an occupational license, would need to complete a traffic safety school, and likely choose to reinstate their operating privileges. Approximately .3 FTE would be necessary to complete these tasks at a cost of approximately \$14,500 in salary and fringe benefits and \$1,140 in supplies and services.

Approximately 60%, or 1,624, of those 2,706 new suspensions would reinstate their operating privilege generating about \$97,440 in new revenue.

Changes would need to be made to DOT computer systems to facilitate completing each of the above processes. Those changes would include updating the license withdrawal system to create letters explaining the reason a person's operating privilege was being suspended and the requirements for reinstatement after suspension; updates to the license issuance system to create a new notation identifying the traffic safety school completion requirement, updates to the license eligibility modules to determine if the person is eligible for an occupational license or for reinstatement of their regular operating privilege. DOT's online systems would need to be updated with new text for eligibility requirements when checking occupational license and reinstatement eligibility online. Estimated costs for updating DOT computer systems as described above are \$27,250.

A new course curriculum and course completion certificate would need to be developed for use in the required traffic safety school for failure-to-yield violations. Additionally, public information detailing the new course and the need for the course would need to be provided to an indeterminate number of current and potential schools or providers. Approximately .1FTE would be necessary to complete these tasks at a cost of approximately \$5,132 and \$1,140 in supplies and services. Approximately \$800 would be needed to create and print new course materials and course completion certificates.

Cost Summary:

.4FTE salary and benefits \$19,632
Supplies and services \$ 2,280
IT Computer System Changes \$27,250
Supply printing \$ 800

Total Costs \$49,962

Revenue Summary:

1,624 license reinstatements @ \$60 each \$97,440

Costs to local governments is indeterminate because it is not known how many local governments will choose to provide the traffic safety school in their district or jurisdiction.

Long-Range Fiscal Implications

See above.

Fiscal Estimate Worksheet - 2011 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Description Vehicle failure-to-yield violations			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
<p>Changes must be made to DOT computer systems to facilitate completing driving privilege processes. These changes would include updating the license withdrawal system to create letters explaining the reason a person's operating privilege was being suspended and the requirements for reinstatement after suspension; updates to the license issuance system to create a new notation identifying the traffic safety school completion requirement, updates to the license eligibility modules to determine if the person is eligible for an occupational license or for reinstatement of their regular operating privilege. DOT's online systems would need to be updated with new text for eligibility requirements when checking occupational license and reinstatement eligibility online. Estimated costs for updating DOT computer systems as described above are \$27,250.</p>			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$19,632	\$
	(FTE Position Changes)	(0.4 FTE)	
	State Operations - Other Costs	3,080	
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$22,712	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S (s. 20.395(5)(cq))	22,712	
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 (s.20.395(5)(cq))	97,440	
	TOTAL State Revenues	\$97,440	\$
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS		\$22,712	\$
NET CHANGE IN REVENUE		\$97,440	\$

Agency/Prepared By	Authorized Signature	Date
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