

### Fiscal Estimate - 2021 Session

Original       Updated       Corrected       Supplemental

<b>LRB Number</b> 21-2083/1	<b>Introduction Number</b> AB-0280
<b>Description</b> intoxicated operation of all-terrain vehicles, utility terrain vehicles, off-highway motorcycles, snowmobiles, and motorboats and providing a penalty	
<b>Fiscal Effect</b>	
<b>State:</b>	
<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 checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
<b>Local:</b>	
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue      5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b>	
<input type="checkbox"/> GPR <input checked="" type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS	
<b>Affected Ch. 20 Appropriations</b>	
<b>Agency/Prepared By</b> DNR/ Paul Neumann (608) 266-0818	<b>Authorized Signature</b> Paul Neumann (608) 266-0818
<b>Date</b> 4/21/2021	

## Fiscal Estimate Narratives

DNR 4/21/2021

LRB Number	<b>21-2083/1</b>	Introduction Number	<b>AB-0280</b>	Estimate Type	<b>Original</b>
<b>Description</b> intoxicated operation of all-terrain vehicles, utility terrain vehicles, off-highway motorcycles, snowmobiles, and motorboats and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

The bill makes several changes to laws related to operating while under the influence ("OWI") for motor vehicles as well as all-terrain and utility-terrain vehicles, off-highway motorcycles, snowmobiles, and motorboats ("off-highway vehicles").

#### Fiscal Effect

##### A. Costs

1. The Department would incur indeterminate, one-time costs to update forms, databases, pamphlets, publications, and websites, as well as to provide updated training to DNR law enforcement personnel and local government-staffed off-highway vehicle patrols.
2. The bill proposes to increase the net consequences for individuals convicted of OWI offenses, most notably the potential suspension/revocation of driver's license privileges. Therefore, given that the consequences to defendants are higher under the bill than under current law, defendants may utilize additional legal processes, including jury trials, and legal motions in defending prosecution. These additional legal processes would likely require an increased, but indeterminate, amount of staff hours to manage prosecution and court process, hearings/trials, testify, etc.

##### B. Revenue

An indeterminate amount of revenue will be generated as a result of the forfeitures associated with the proposed "operating after suspension" offense. Since this is a new offense, the Department cannot provide an estimate as to the number of potential offenders, although the population eligible to commit this offense would include all individuals with recent off-highway vehicle OWI convictions, as well as individuals subject to DOT license suspension/revocation arising from motor vehicle OWI convictions.

### Long-Range Fiscal Implications