

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01-1471/3 **Introduction Number** SB-258

Subject
Human service vehicles and the specialized transportation assistance program

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
 - Increase Existing Revenues
 - Decrease Existing Revenues
 - Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
 - Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs 3. Increase Revenue
 - Permissive Mandatory
 - Permissive Mandatory
 - 2. Decrease Costs 4. Decrease Revenue
 - Permissive Mandatory
 - Permissive Mandatory

5. Types of Local Government Units Affected

- Towns Village Cities
- Counties Others
- School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR FED PRO PRS SEG SEGS

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Fiscal Estimate Narratives

DOT 10/23/01

LRR Number 01-1471/3	Introduction Number SB-258	Estimate Type Original
Subject		
Human service vehicles and the specialized transportation assistance program		

Assumptions Used in Arriving at Fiscal Estimate

One-Time costs:

DOT: Data Processing Development \$5,800

DOJ: Data Processing Development \$9,000

On-going Costs:

DMV: 0.5 FTE \$18,200; Supplies & Services \$175

DSP: 2 FTE \$126,000; Supplies & Services \$10,000.

Basis for Conclusion:

1. This proposal affects all employers and paid operators providing specialized transit service with Human Service Vehicles (HSV). Vehicles operated by volunteers, under the definition of HSV in s.340.01(23g)(a) are not included. (s.340.01(23g)(b)1.)

2. The number of county and privately owned specialized transit service providers is estimated at 200.

3. As of July 2000 there were 2,169 HSV registered with the unique plate prefix or suffix ZY.

4. The number of HSV operators is estimated by assuming 2 drivers for every HSV, or about 4,400 HSV drivers. Turnover of employment (new employees; change employers) is estimated at 1/2 of the operators annually.

5. Vehicle Inspection:

--> Under s. 110.05(2) it is the responsibility of the owner to have the HSV inspected annually.

--> No HSV can be operated unless the inspection sticker is displayed on the windshield.

--> In 2000 the Division of State Patrol (DSP) inspected 1,969 Human Service Vehicles.

--> No change in the number of HSV inspections is anticipated because of this proposal.

6. Vehicle Funding:

--> About half of the currently registered HSVs receive specialized transit funding.

--> Currently, HSVs that do not pass inspection do not receive specialized transit funding.

--> DTIM would require grantees under s85.21 and the Section 5310 program to certify as a condition of receiving funding that they have policies and procedures in place and follow them in employing their drivers of state or federal funded services. DTIM would not review or approve local policies and procedures, but may include these in site reviews conducted under the 5310 program.

--> No oversight would be provided for HSVs operated by agencies or services not receiving state or federal funding from DTIM.

7. Vehicle Registration:

--> Currently, when initially registering an HSV, the Division of Motor Vehicles (DMV) asks for proof of the DSP inspection.

--> The proof could also be requested at the Annual Renewal, by asking for the form, viewing and returning This could be done without any data processing development.

8. Operator Employment Qualifications:

--> Under Trans 301.06, Wis. Admin. Code, it is the responsibility of the vehicle owner and employer to employ qualified operators.

--> The initial applicability of the proposal is for contracts entered into on the effective date of the subsection. Contracts for funding may be annual or may be renewed for 3-5 years, so it will take up to 5 years for all employers and employees to be affected.

--> For the new requirements in this proposal, the employee will submit DOJ background checks, DMV driver records, out-of-state record checks, proof of restraint training and other information required to the employer.
--> Criminal background checks will be obtained from the Department of Justice. DOJ estimates changes to data processing applications to allow background checks for HSV operators to access restricted juvenile information is \$9,000. This is based on the assumption that "serious offenses" in this proposal are the same as the serious offenses used for daycare providers (s.48.685) and for caregivers (s.50.065.) If the serious offenses are not the same, additional data processing work may be required.
--> "Primarily at fault" in an accident will be assumed by the presence of a citation issued on the same day as the accident on the Driver Record.

9. Operator Licensing:

--> Currently, under s.343.04(1), the operator of an HSV requires only a valid "regular" Class D license to operate the vehicle.

--> DOT will develop a driver license record indicator (e.g. "Not eligible to operate HSV") in order to provide Law Enforcement with information about the driver's qualifications. (The indicator will not appear on the physical driver license document.) The data processing development costs are estimated at 4 person days x (\$500 salary + \$222 IEF Tool) = \$2,888.

--> The record indicator will be added when review of the background check forms, submitted by the employer within 10 days, indicates that the person is not eligible to operate an HSV. [Under proposed s.346.923(2), the employee is required to report certain convictions and accidents to the employer within 10 days.]

--> After initial startup, an estimated 2,200 background check forms will be received by DMV each year. (Contracts for funding are renewed annually.)

--> For "precautionary measures," as will be defined by Rulemaking, e.g. "Accompanied by another employee at all times when operating HSV," DOT will develop a product notation that would be added to the driver record and would be available only to Law Enforcement. (The product notation will not appear on the physical driver license document.) The number of times this notation will be needed is indeterminate. The data processing development costs are estimated at 4 person days x (\$500 salary + \$222 IEF Tool) = \$2,888.

--> Appeals made under proposed s.346.923(3)(b), when a person fails to demonstrate to DOT that he or she has been "rehabilitated" from certain serious crimes, will be directed to the Department of Administration under Chapter 227.

--> Additional FTE for DMV to perform the record check and form review (7.2 minutes), add restrictions, and prepare records for a DOA appeal hearing (time indeterminate) is estimated at 0.5 FTE x 2080 hours x \$23.16/hour minimum salary and fringe for pay range 7-15 = \$24,000.

10. Training Specialized Transit Service Providers:

NOTE: The proposal says DOT shall conduct the training on performing criminal background checks. The Division of State Patrol is not authorized to do criminal investigations under Chapters 940-948. DOT recommends that training personnel be allocated to the Department of Justice, which is authorized to do criminal investigations.

--> DSP Troopers to conduct training. 2 FTE @ \$63,000 salary and fringe = \$126,000. Travel expenses per Officer @ \$5,000 annually = \$10,000.

11. Background Check Forms:

--> DOT will provide 4 part self-carboning forms for background checks. Forms costs are estimated at 7 cents each for about 2,500 forms annually = \$175.

12. Local costs would increase.

--> Local providers of specialized transit service, counties and private nonprofits, as well as proprietary transportation services, likely will find the added requirements to do record checks, background investigations, and training a heavy burden. Many of these smaller agencies have severe staffing constraints due to low funding levels received by service agencies.

--> There may be costs for participation in DOJ training. If the training is held at the DSP Academy for example, the costs would be about \$5.50 per student for a half day class.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Subject			
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I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
Data Processing Development DOJ and DOT = \$14,800			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$144,200	
(FTE Position Changes)		(2.5 FTE)	
State Operations - Other Costs		10,175	
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category		\$154,375	\$
B. State Costs by Source of Funds			
GPR			
FED			
PRO/PRS			
SEG/SEG-S		154,375	
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		\$154,375	\$indeterminate
NET CHANGE IN REVENUE		\$	\$
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