

### Fiscal Estimate - 2003 Session

Original     
  Updated     
  Corrected     
  Supplemental

LRB Number **03-0985/1**      Introduction Number **AB-15**

**Subject**  
 Vehicle owner liability for RR crossing violations

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                   |
| <input type="checkbox"/> Create New Appropriations        |   | <input type="checkbox"/> Decrease Costs   |

**Local:**

No Local Government Costs  
 Indeterminate

|  |  |  |
|--|--|--|
| 1. <input checked="" type="checkbox"/> Increase Costs<br><input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input checked="" type="checkbox"/> Increase Revenue<br><input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of Local Government Units Affected<br><input checked="" type="checkbox"/> Towne <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities<br><input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others<br><input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
| 2. <input type="checkbox"/> Decrease Costs<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                       | 4. <input type="checkbox"/> Decrease Revenue<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                       |  |

|   |                                       |
|---|---------------------------------------|
| <b>Fund Sources Affected</b>  | <b>Affected Ch. 20 Appropriations</b> |
| <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                           |

|                                      |                                 |             |
|--------------------------------------|---------------------------------|-------------|
| <b>Agency/Prepared By</b>            | <b>Authorized Signature</b>     | <b>Date</b> |
| DOT/ Eileen Ostrowsky (608) 266-1449 | Carol Buckmaster (608) 267-6979 | 2/6/2003    |

**Fiscal Estimate Narratives**  
**DOT 2/6/2003**

|  |                                  |                               |
|--|----------------------------------|-------------------------------|
| LRB Number <b>03-0985/1</b>  | Introduction Number <b>AB-15</b> | Estimate Type <b>Original</b> |
| <b>Subject</b><br>Vehicle owner liability for RR crossing violations |                                  |                               |

**Assumptions Used in Arriving at Fiscal Estimate**

**Conclusion:**

The fiscal impact of this proposal is indeterminable because the number of citations that will be written for the offense cannot be estimated.

For comparison, in 2001 (the latest data available), there were 1,249 convictions for failure to stop for school bus(FSB). The number of convictions for failing to obey railroad crossing restrictions, and being observed doing so by a railroad employee, is expected to be significantly less than that.

There will be some impact on the Division of State Patrol and other law enforcement agencies to investigate the infraction and deliver or mail the citation to the owner and possibly to the operator.

There will be some impact to the Division of Motor Vehicles to process the citations.

Local Impact: Cost and Revenue will depend on how often the Citations are written.

**Assumptions:**

1. Division of State Patrol: Some indeterminate costs to deliver the citation to the owner and/or operator. The average rate of pay for a Trooper is \$39.50 per hour, including fringe benefits. The average time to write and deliver the citation is about 1 hour, considering that some Troopers would have to travel quite a distance to deliver a citation/warrant, etc. The proposal states that the officer "may" personally serve the citation, but it may also be mailed in compliance with agency policies and procedures.
2. Division of Motor Vehicles: One-time costs for development of a unique "charge code" to identify the conviction on the driver's record: \$39,100 (\$560/day contract programmer + \$222/day IEF programming software = \$782 per day. \$782 x 50 days.)
3. Division of Motor Vehicles: This proposal provides for citations for the owner or the operator to be written under the same Statutory section. To effectively automate the citation process, a distinct Statutory reference is usually required. However, the DMV will automate the data entry because the conviction carries no points. DMV will not distinguish between owner or operator and will enter the citation on the appropriate driver record. (Automation of the data entry -- keying and batch tape --reduces the need for slower manual entry of citations and convictions.)
4. Local costs: The average pay of local law enforcement is unknown. It will take local Law Enforcement officer about the same time as the State Patrol to investigate, write the citation and deliver it (in person or by mail) to the owner or the operator.

**Long-Range Fiscal Implications**

n/a

## Fiscal Estimate Worksheet - 2003 Session

Detailed Estimate of Annual Fiscal Effect

Original
  Updated
  Corrected
  Supplemental

|  |  |  |                 |
|--|--|--|-----------------|
| <b>LRB Number</b> 03-0985/1  |  | <b>Introduction Number</b> AB-15               |                 |
| <b>Subject</b>   |  |  |                 |
| Vehicle owner liability for RR crossing violations   |  |  |                 |
| <b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>                                |  |  |                 |
| One-time development of "charge code" to identify the conviction on the driver's record and to track the total number of convictions. \$39,100             |  |  |                 |
| <b>II. Annualized Costs:</b>   |  | <b>Annualized Fiscal Impact on funds from:</b> |                 |
|  |  | Increased Costs                                | Decreased Costs |
| <b>A. State Costs by Category</b>  |  |  |                 |
| State Operations - Salaries and Fringes  |  | \$   |                 |
| (FTE Position Changes)   |  |  |                 |
| State Operations - Other Costs   |  |  |                 |
| Local Assistance   |  |  |                 |
| Aids to Individuals or Organizations   |  |  |                 |
| <b>TOTAL State Costs by Category</b>   |  | <b>\$</b>                                      | <b>\$</b>       |
| <b>B. State Costs by Source of Funds</b>   |  |  |                 |
| GPR  |  |  |                 |
| FED  |  |  |                 |
| PRO/PRS  |  |  |                 |
| SEG/SEG-S  |  |  |                 |
| <b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b> |  |  |                 |
|  |  | Increased Rev                                  | Decreased Rev   |
| GPR Taxes  |  | \$   | \$              |
| GPR Earned   |  |  |                 |
| FED  |  |  |                 |
| PRO/PRS  |  |  |                 |
| SEG/SEG-S  |  |  |                 |
| <b>TOTAL State Revenues</b>  |  | <b>\$</b>                                      | <b>\$</b>       |
| <b>NET ANNUALIZED FISCAL IMPACT</b>  |  |  |                 |
|  |  | <u>State</u>                                   | <u>Local</u>    |
| NET CHANGE IN COSTS  |  | \$   | \$indeterminate |
| NET CHANGE IN REVENUE  |  | \$   | \$indeterminate |
| <b>Agency/Prepared By</b>  |  | <b>Authorized Signature</b>                    |                 |
| DOT/ Eileen Ostrowsky (608) 266-1449   |  | Carol Buckmaster (608) 267-6979                |                 |
|  |  | <b>Date</b>                                    |                 |
|  |  | 2/6/2003                                       |                 |