

Fiscal Estimate Narratives

DOT 3/4/2008

LRB Number 07-3150/1	Introduction Number AB-0775	Estimate Type Original
Description Payment of judgments in traffic courts and municipal courts by installments and the suspension of operating privileges		

Assumptions Used in Arriving at Fiscal Estimate

BILL SUMMARY

Traffic violation: Requires the court when entering judgment to allow a payment plan in lieu of operating privilege withdrawal if the defendant is unable to pay due to poverty.

Municipal ordinance violation: Prohibits a judge from ordering a defendant's imprisonment or withdrawing their operating privilege for non-payment of a judgment if:

- the defendant has notified the court that they cannot pay due to poverty and
- the defendant has not previously failed to comply with a court-ordered installment plan or previously failed to perform community service

Operating privilege withdrawal for failure to pay a judgment:

- A court may terminate the withdrawal and substitute a payment plan
- If the defendant is unable to pay due to poverty, requires the court to terminate the withdrawal and substitute a payment plan, unless the defendant has previously failed to comply with a payment plan

This proposal uses poverty as it is defined in s. 814.29(1)(d).

ASSUMPTIONS

In Section 5 of the proposal a court is required to "terminate" the suspension of an individual and substitute a payment plan. DOT is unsure of how "terminate" will be interpreted by courts. If a court reports to DOT that the judgment is paid, the individual will have to pay the required reinstatement fees to reinstate their operating privilege. If a court reports to DMV that they are releasing the suspension, no reinstatement fee will be required.

CONCLUSION

The vagueness of the word "terminate" as described above could potentially impact DMV revenues through a reduced collection of reinstatement fees.

Long-Range Fiscal Implications

See above.

Fiscal Estimate Worksheet - 2007 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Description Payment of judgments in traffic courts and municipal courts by installments and the suspension of operating privileges			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): Indeterminate.			
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, ets.)			
		Increased Rev	Decreased Rev
GPR Taxes		\$	\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues		\$	\$
NET ANNUALIZED FISCAL IMPACT			
		State	Local
NET CHANGE IN COSTS		\$	\$
NET CHANGE IN REVENUE		\$	\$
Agency/Prepared By		Authorized Signature	Date
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