

FISCAL NOTE

Bill #: HB0191

Title: Revise minor in possession laws

**Primary
Sponsor:** Steven Gallus

Status: Third Reading

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY2002 Difference</u>	<u>FY2003 Difference</u>
Expenditures:		
General Fund	3,060	0
Revenue:	0	0
Net Impact on General Fund Balance:	(\$3,060)	\$0

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact		X	Technical Concerns
	X	Included in the Executive Budget	X		Significant Long-Term Impacts
	X	Dedicated Revenue Form Attached	X		Family Impact Form Attached

Fiscal Analysis

ASSUMPTIONS:

1. The 1995 Legislature passed SB 64 which amended 45-5-624, MCA, imposing suspension of the driver's licenses of individuals convicted of minor in possession violations. The Legislature did not authorize any additional FTE to assist the Department of Justice Motor Vehicle Division in performing the duties required by the minor in possession (MIP) driver license suspensions.
2. The division processed 871 driver license suspensions and subsequent license reinstatements as a result of MIP violations in CY 1999 and 989 in CY 2000.
3. The division's driver license suspension, revocations, and reinstatements actions have increased 70% from 17,216 actions in 1990 to 29,264 in 1999 while during the same time frame the division's authorized FTE

(continued)

level was reduced from 26.85 FTE in 1990 to 25.00 FTE in 1995. In the past the division has been able to meet the increasing workload demands by implementing a number of program enhancements; however, the division is no longer able to continue to meet all of the increasing workload demands.

4. One-time operating costs in FY 2002 to the Department of Justice to remove the active records for all MIPs for individuals under age 21 and implement the provisions of this bill for the first MIPs are estimated at \$2,400 (32 hours x \$75/hour) for FY 2002. A combination of DOJ programming staff and private vendors will be necessary to address the current backlog of more than 15,000 hours of programming to comply with existing mandates and the considerable system maintenance that is required. Computer costs to complete the programming are estimated at \$660 (4 days @ \$165/day). Total costs in FY 2002 for programming are estimated at \$3,060 (\$2,400 + \$660).

FISCAL IMPACT:

	<u>FY2002 Difference</u>	<u>FY2003 Difference</u>
<u>Expenditures:</u>		
Operating Expenses	\$3,060	0
<u>Funding:</u>		
General Fund (01)	\$3,060	0
<u>Net Impact to Fund Balance (Revenue minus Expenditure):</u>		
General Fund (01)	(\$3,060)	0

LONG-RANGE IMPACTS:

1. If this bill does not become law, to continue to meet the workload demands generated by the MIP convictions it will be necessary for the division to add 1.00 FTE at a cost of \$21,965 (Grade 8) in personal services and \$2,197 in operating costs for data network charges, supplies, telephone, postage, and rent, or a total annual general fund budget increase of \$24,162.