



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2023 Biennium

Bill # HB0264

Title: Revise emergency vehicle passing laws

Primary Sponsor: Fitzgerald, Ross H

Status: As Amended in House Committee

- Significant Local Gov Impact     
 Needs to be included in HB 2     
 Technical Concerns  
 Included in the Executive Budget     
 Significant Long-Term Impacts     
 Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2022 Difference</u>	<u>FY 2023 Difference</u>	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>
<b>Expenditures:</b>				
General Fund	\$960	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$9,394	\$12,525	\$12,525	\$12,525
<b>Net Impact-General Fund Balance:</b>	<u>\$8,434</u>	<u>\$12,525</u>	<u>\$12,525</u>	<u>\$12,525</u>

**Description of fiscal impact:** This bill will create a new ticket for reckless endangerment of emergency personnel and will have a positive fiscal impact on the general fund due to increased fine revenue being received.

### FISCAL ANALYSIS

#### Assumptions:

#### **Department of Justice**


1. The Montana Highway Patrol (MHP) averaged 149 citations annually for incidents included in 61-8-346, MCA, over the last five years.
2. MHP assumes that 75% of those citations were first offenses and 25% were second or subsequent offenses.
3. MHP estimates an increase in revenue of \$12,525 each fiscal year. (149 citations x 75%= 112 citations x \$75 fine increase= \$8,400) (149 citations x 25%= 37 citations x \$450 fine increase= \$16,650) (\$8,400 + \$16,650= \$25,050/2=\$12,525)
4. Since the bill has an effective date of October 1, 2021, the fiscal impact would be ¾ in FY 2022.
5. Half of the fine revenue received is deposited into the state general fund and half goes to the county in which the citation was written.
6. There will be 8 hours of programming changes necessary in MERLIN at an hourly cost of \$120 per hour. The necessary changes include, creating a new ticket for reckless endangerment of emergency personnel, building

new rules for sanctioning based on the new ticket and modifying the interface with the Justice Court Reporting System. The total cost would be \$960.

	<u>FY 2022</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>
<b><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
Personal Services	\$0	\$0	\$0	\$0
Operating Expenses	\$960	\$0	\$0	\$0
<b>TOTAL Expenditures</b>	<b>\$960</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$960	\$0	\$0	\$0
<b>TOTAL Funding of Exp.</b>	<b>\$960</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Revenues:</u></b>				
General Fund (01)	\$9,394	\$12,525	\$12,525	\$12,525
<b>TOTAL Revenues</b>	<b>\$9,394</b>	<b>\$12,525</b>	<b>\$12,525</b>	<b>\$12,525</b>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	\$8,434	\$12,525	\$12,525	\$12,525

**Effect on County or Other Local Revenues or Expenditures:**

- MHP estimates county revenues would increase by \$12,525 due to half of the fine revenue going to the counties.


3/9/21
KA
3/2/21  
 Sponsor's Initials                      Date                      Budget Director's Initials                      Date