

March 22, 2012

The Honorable Dwayne Umbarger, Chairperson
Senate Committee on Transportation
Statehouse, Room 441-E
Topeka, Kansas 66612

Dear Senator Umbarger:

SUBJECT: Fiscal Note for SB 465 by Senate Committee on Ways and Means

In accordance with KSA 75-3715a, the following fiscal note concerning SB 465 is respectfully submitted to your committee.

SB 465 would make persons convicted of certain traffic violations that resulted in a vehicle accident or collision guilty of a traffic infraction. A first conviction for this crime would be punishable by a fine of not less than \$75 and no more than \$500 and a person's driving privileges would be suspended for a period not to exceed 90 days. A second or subsequent conviction would be punishable by a fine of not less than \$150 and no more than \$1,000 and a person's driving privileges would be suspended for a period not to exceed one year.

The bill would also make a conviction of certain traffic violations that result in vehicle accidents or collisions resulting in the death of any person an unclassified misdemeanor. A first conviction for this crime would be punishable by a fine of not less than \$150 and no more than \$2,000 or, in lieu of a fine, a person may be required to complete not less than 100, but not more than 500 hours of community service. In addition, the person's driving privileges would be suspended for a period not to exceed three years. A second or subsequent conviction would be punishable by a fine of not less than \$250 and no more than \$5,000, or, in lieu of a fine, a person may be required to complete not less than 100, but no more than 500 hours of community service. Also, the person's driving privileges would be suspended for a period not to exceed five years.

Estimated State Fiscal Effect				
	FY 2012 SGF	FY 2012 All Funds	FY 2013 SGF	FY 2013 All Funds
Revenue	--	--	--	--
Expenditure	--	--	--	\$17,470
FTE Pos.	--	--	--	--

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According to the Office of Judicial Administration, passage of SB 465 would not appear to result in any additional cases being filed in the district courts because it is likely that persons who commit the acts addressed by this bill could and would be charged with other crimes under current law, such as vehicular homicide or battery. Passage of the bill could, however, increase the number of appeals relating to violations of the Uniform Act Regulating Traffic on Highways, as new criminal provisions are sometimes challenged on appeal until legal definitional and application issues become settled by the appellate courts. This, in turn, would increase the time spent by the district court and appellate court judicial and non-judicial personnel in processing, researching, and hearing cases. Nevertheless, until the courts have had an opportunity to operate under the provisions of SB 465, an accurate estimate of the fiscal effect on expenditures to the Judicial Branch cannot be given.

The Kansas Department of Revenue estimates that passage of SB 465, which would create new driver's license suspensions, would result in expenditures for approximately 65 hours of programming at a cost of \$158 per hour and 240 hours of in-house programming at \$30 per hour for a total of \$17,470. The vendor costs would be paid out of the DMV Modernization Fund and the in-house programming would be paid out of the Vehicle Operating Fund. Any fiscal effect associated with SB 465 is not reflected in *The FY 2013 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mary Rinehart, Judiciary
Steve Neske, Revenue