



**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**

Fiscal Note On: **HB 669** HLS 18RS 583  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action: **w/ SEN COMM AMD**  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> May 16, 2018	12:12 PM	<b>Author:</b> MARCELLE
<b>Dept./Agy.:</b> Dept. of Public Safety/Office of Motor Vehicles		<b>Analyst:</b> Ryan Guidry
<b>Subject:</b> Holds on renewal of operator's licenses		

MTR VEHICLE/DRIVER LIC RE1 DECREASE SG RV See Note Page 1 of 1  
 Provides for a hold on the renewal of a operator's license under certain circumstances

Present law requires that the magistrate or judge of the court exercising jurisdiction immediately forward to the Dept. of Public Safety and Corrections notice of failure to appear with information necessary for identification of the arrested person, which automatically results in the suspension of an operator's license. Proposed law authorizes the magistrate or judge, at his discretion, to determine whether place a hold on the renewal of the operator's license. Present law requires that the department immediately notify the arrested person of the suspension of his operator's license and the imposition of a \$50 fee. Proposed law retains present law and requires the department to notify the individual of the hold on renewal of his operator's license. Present law requires that the prosecuting authority immediately notify the department when the arrested person makes an appearance as required by present law or pays an appropriate fee and requires the arrested person pay an additional \$50 to the department for the renewal or reissuance of his operator's license. Proposed law retains present law. Proposed law requires the Dept. of Public Safety and Corrections, public safety services, to promulgate rules and regulations.

EXPENDITURES	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>						
REVENUES	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

The Department of Public Safety (DPS), Office of Motor Vehicles (OMV) reports expenditures will increase by a one-time amount of \$10,550 for programming changes by OTS to incorporate the requirements into the existing system. The Legislative Fiscal Office believes that the department can potentially accomplish these tasks utilizing existing resources and budget authority as similar changes are enacted annually by legislative instrument and paid from base funding. To the extent that numerous pieces of legislation are enacted that require additional programming efforts, DPS may require additional resources.

Proposed law provides a magistrate or judge the discretion of whether or not to place a hold on the renewal of the operator's license of an arrested person for a failure to appear violation and to report this determination to OMV. The department must then notify the individual that a hold has been placed on the renewal. OMV reports annual SGR expenditures of \$750,000 for postage, forms, salaries and programing costs related to approximately 130,000 failure to appear violations. The number of failure to appear violations for which the department will be responsible may be reduced to the extent that a judge or magistrate elects not to place a hold on the renewal of the operator's license, and therefore there may be an indeterminable decrease on the annual operating expenditures for OMV.

**REVENUE EXPLANATION**

Proposed law may decrease SGR for the Office of Motor Vehicles and local funds for various local courts by an indeterminable amount. The revenue decrease may be significant to the extent that more judges elect not to place a hold on the renewal of the operator's license for a failure to appear violation.

Present law requires a judge or magistrate to suspend the operator's license of any arrested person for a failure to appear violation and to forward the decision to OMV. The department notifies the individual of the suspension and a \$50 fee is imposed. When the arrested person makes an appearance or pays an appropriate fine as determined by the court, OMV is notified and an additional \$50 is imposed for a total fee of \$100. Of the fee imposed, \$12.50 is paid to the court exercising jurisdiction into that court's criminal court fund, and the remaining \$87.50 accrues to OMV as SGR. For reference, OMV reports that in FY 17, 60,080 failure to appear fee records were cleared for total revenue of \$6,008,000 (\$100 \* 60,080). OMV received SGR revenues in the amount of \$5,257,000 (\$87.50 \* 60,080), and the courts received \$751,000 (\$12.50 \* 60,080).

Proposed law provides a magistrate or judge the discretion of whether or not to place a hold on the renewal of the operator's license of an arrested person for a failure to appear violation and to report this determination to OMV. Proposed law provides the same \$100 fee applied for suspensions under present law would apply for a hold placed on the renewal of the license. For those failure to appear violations for which a judge or magistrate elects not to place a hold on the renewal of the operator's license, no fee would be collected. To the extent that a magistrate or judge elects not to place a hold on the renewal of the operator's license for a failure to appear violation, revenue will decrease by \$100 for each occurrence.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
<input checked="" type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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