

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 580** HLS 23RS 637
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 1, 2023	8:54 AM	Author: HUVAL
Dept./Agy.: Public Safety, State Police and LA Highway Commission		
Subject: Prohibit Handheld Wireless Telecom Devices Public		Analyst: Patrice Thomas

MTR VEHICLE/VIOLATIONS OR +\$104,944 GF EX See Note Page 1 of 2
 Provides relative to the operation of a motor vehicle while using a wireless telecommunication device

Proposed law repeals present law regarding operating wireless telecommunication devices in school zones. Proposed law prohibits all drivers from calling, text messaging, or using social networking on a handheld telecommunication device while driving on a public road or highway, except hands-free wireless telephone. Proposed law provides new and enhanced definitions. Proposed law provides for an exception to the wireless telecommunication device prohibition for a law enforcement officer, firefighter, or EMS as well as for any person reporting a traffic accident or other emergency, road hazard, reporting serious injury or death, using a dispatching system, using hands-free GPS, while a vehicle is lawfully stationary, or dialing 911. Proposed law provides for moving violation fines after 01/01/24 as follows: \$50-\$100 and 15 hours community service for 1st offense; \$100-\$200 and 30 hours of community service for 2nd offense; \$100-\$300, 60 hours community service, and driver's license suspension for 3rd offense. Beginning 8/01/2024, proposed law requires State Police to annually report the data collected on the race and ethnicity of violators. Proposed law prohibits certain acts of law enforcement officers during traffic stops for violations of proposed law and requires "visually observes" the violation and prohibits arrests.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	\$104,944	\$104,970	\$107,675	\$110,462	\$113,332	\$541,383
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						
REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law is anticipated to increase expenditures within the Dept. of Public Safety and Corrections (DPS), Public Safety Services, Office of Motor Vehicles for suspension of driver's licenses and the Office of State Police to collect race and ethnicity data of each citation from all law enforcement agencies. Under the proposed law, on the third and subsequent violation of texting while driving, a person's driver's license shall be suspended for 30 days.

Office of Motor Vehicles (OMV) - DPS indicates the proposed law requires the Office of Technology Services (OTS) to perform the programming and coding changes of approximately 120 hours of overtime for the Information Services Section to the OMV Driver's License Issuance system at a cost of \$10,348 (\$85 x 120 = \$10,200 x 1.45% Medicare = \$10,348). The Legislative Fiscal Office presumes additional IT workload associated with this proposed law is incremental in nature and will be accomplished by utilizing existing resources and budget authority. To the extent that numerous pieces of legislation are enacted that require additional programming efforts, the department may require additional resources.

Office of State Police - The proposed law will require modifications to the website that State Police will use to collect data from various law enforcement agencies. DPS reports needing one additional position within the Office of State Police, Technology and Business Support Section to gather information from all law enforcement agencies. The staffing estimate includes salaries and related benefits for one Business Technology Analyst position (\$61,714 salary and \$38,500 related benefits). Other expenditures include office supplies (\$300), automotive maintenance (\$300), telephone (\$336), IAT to OTS for computer equipment (\$1,194), and acquisitions of office furniture (\$1,600) and data equipment (\$1,000). In subsequent fiscal years, the fiscal note presumes a 3% increase in salaries for market rate adjustments and related benefits as the LFO presumes the Business Technology Analyst position will be classified. See table on Page 2 for detailed expenditures.

Local Law Enforcement - The proposed legislation requires all law enforcement agencies to report the race and ethnicity of persons receiving citations for driving while texting to the LA State Police. Therefore, local fund expenditures will increase by an indeterminable amount as a result of local law enforcement agencies submitting the required data to the State Police.

Expenditure Explanation Continues on Page 2

REVENUE EXPLANATION

Proposed law may decrease Local Funds revenues by an indeterminable amount as a result of fines being reduced. Proposed law repeals present law fines of \$500 for the first violation and \$1,000 for 2nd and subsequent violations, but expands the violation to all public roads and highways. Proposed law provides for lower fines of \$50-\$100 for 1st offense; \$100-\$200 for 2nd offense; and \$100-\$300 for 3rd offense. Because the number of drivers who may be fined under the proposed law is unknown, revenue derived from this source is indeterminable. However, all fines would accrue to local governing entities.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
<input 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}

Evan Brasseaux
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 Interim Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

Page 2 of 2

EXPENDITURE EXPLANATION Continued from Page 1

DPS Projected Operating Budget Impact

LA State Police

EXPENDITURES	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
Salary (Business Tech Analyst position)	\$61,714	\$63,565	\$65,472	\$67,437	\$69,460
Related Benefits	<u>\$38,500</u>	<u>\$39,275</u>	<u>\$40,073</u>	<u>\$40,895</u>	<u>\$41,742</u>
Personnel Sub-Total	<u>\$100,214</u>	<u>\$102,840</u>	<u>\$105,545</u>	<u>\$108,332</u>	<u>\$111,202</u>
Operating Services	\$300	\$300	\$300	\$300	\$300
Supplies	\$300	\$300	\$300	\$300	\$300
IAT - Programming/Telephones	\$1,530	\$1,530	\$1,530	\$1,530	\$1,530
Acquisitions	<u>\$2,600</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
TOTAL	<u>\$104,944</u>	<u>\$104,970</u>	<u>\$107,675</u>	<u>\$110,462</u>	<u>\$113,332</u>
T.O.	1	1	1	1	1

Note: In subsequent fiscal years, the fiscal note presumes a 3% increase in salaries and related benefits.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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