

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



Fiscal Note On: **HB 633** HLS 21RS 519

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> June 2, 2021 6:03 PM	<b>Author:</b> WRIGHT
<b>Dept./Agy.:</b> Public Safety, State Police	<b>Analyst:</b> Patrice Thomas
<b>Subject:</b> Ignition Interlock Devices and Maintenance Services	

MOTOR VEHICLES RE INCREASE SD RV See Note  
Provides relative to ignition interlock devices and maintenance services

Except for 1st time offense, proposed law changes the blood alcohol concentration (BAC) level to 0.15% for a criminal offense for driving while intoxicated and changes the time a driver is required to have an ignition interlock device. Proposed law provides for the definition, calibration, installation, certification, and compliance of ignition interlock devices as well as enforcement by the Dept of Public Safety & Corrections, Office of State Police. Beginning 1/01/22, proposed law requires all new ignition interlock devices installed to have a camera, and by 3/31/22, all previously installed devices have a camera. Beginning 9/01/22, proposed law authorizes State Police to collect nonrefundable fees for certification, renewal, or recertification of ignition interlock devices, service centers, and technicians. Proposed law provides fees are deposited in a newly created Public Safety Ignition Interlock Regulation Fund, and utilized by State Police; authorizes State Police to inspect and remove devices that are not in compliance, suspend or revoke certifications, and respond to complaints; and an ignition interlock affordability plan for those receiving SNAP, Medicaid, Social Security Disability, or indigent public defender services.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$1,054,157	\$695,175	\$706,669	\$915,162	\$731,496	<b>\$4,102,659</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>		<b>\$695,175</b>	<b>\$706,669</b>	<b>\$915,162</b>	<b>\$731,496</b>	<b>\$3,048,502</b>

  

REVENUES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law will increase one-time expenditures by \$368,781 and recurring expenditures up to \$685,376 from statutory dedications out of the newly created Public Safety Ignition Interlock Regulation Fund in the Department of Public Safety (DPS), Office of State Police beginning in FY 22. DPS anticipates that the fees deposited into the Fund from the proposed law will be sufficient to cover these expenditures. To the extent fee collections may be insufficient, the Legislative Fiscal Office assumes DPS may require additional funding from another state source.

**One-time Expenditures in Office of State Police** - Based on information from the Office of Technology Services (OTS), DPS estimates it will require 40 work hours at a total cost of \$3,246 (40 hours x \$80 per hour x 1.45% Medicare) by an IT Management Consultant 1 Developer to make the necessary Motor Vehicle system changes. DPS reports that other one-time costs for five (5) additional staff within the Applied Technology Unit of State Police (see below) including training at the Borkenstein Alcohol Course and Association of Ignition Interlock Program Administrators (AIIPA) Training Institute (\$35,000), equipment (\$37,345), radars, radios, firearms, ammunition, and vests (\$96,420) as well as automobiles for five law enforcement officers (\$196,770) in FY 22 and replacement automobiles in FY 25.

**EXPENDITURE EXPLANATION Continue on Page 2**

**REVENUE EXPLANATION**

**Office of State Police** - Proposed law will increase statutorily dedicated revenues in the Office of State Police by a minimum of \$29,000, but the total amount of revenue generated from all revenues is indeterminable. Revenues will be deposited into the newly created Public Safety Ignition Interlock Regulation Fund from fees related to the certification, renewal, or recertification of ignition interlock devices, service centers, technicians, and violators. Revenues generated under this measure will be utilized to cover expenditures in the Applied Technology Unit within State Police. The fees are as follows: \$1,000 for device certification, \$500 for annual device recertification, \$125 to \$250 for initial service center certification, \$75 for the annual renewal of the service center certification, \$50 for the initial Ignition Technician Certification, \$25 for the annual renewal of the Ignition Technician Certification, \$25 for the initial Calibration Technician Certification, and \$10 for the annual renewal of the Calibration Technician Certification as well as \$10 per installation verification form and \$5 per 30-day calibration assessed on violators.

Currently, there are seven manufacturers and approximately 120 service centers. DPS estimates a minimum revenue collected of \$29,000 in fees (\$14,000 = 7 manufacturers x 2 devices x \$1,000 initial device certification; and \$15,000 = 120 service centers x \$125 initial service center certification). Since the number of interlock technicians and calibration technicians employed by service centers is unknown, the revenue from the certification of technicians is indeterminable.

**REVENUE EXPLANATION Continue on Page 2**

Senate  
 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}

*Alan M. Boxberger*

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**Staff Director**

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**CONTINUED EXPLANATION from page one:**  
**EXPENDITURE EXPLANATION Continued from Page 1**

**Recurring Expenditures in the Office of State Police** - DPS reports needing five positions at an annual cost of \$685,376. The staffing estimate includes \$622,166 (salaries and related benefits) for one State Police Sergeant and four State Police Troopers. Other recurring costs are estimated at \$63,210, which includes maintenance (\$9,000), office supplies (\$1,375), automotive maintenance (\$30,000), uniforms (\$8,975), camera (\$525), telephones (\$1,500), professional services (\$6,835), and other charges (\$5,000). Also, one-time expenditures are estimated at \$368,781, which includes travel (\$35,000), IAT payment to OTS (\$3,246), and acquisition (\$330,535 in FY 22 and \$196,770 in FY 25). See Table below.

**DPS Projected Operating Budget Impact**

<b>EXPENDITURES</b>	<b>FY 21-22</b>	<b>FY 22-23</b>	<b>FY 23-24</b>	<b>FY 24-25</b>	<b>FY 25-26</b>
Personnel (5 Trooper positions)	\$367,160	\$374,503	\$381,993	\$389,633	\$397,426
Related Benefits	<u>\$255,006</u>	<u>\$257,462</u>	<u>\$261,466</u>	<u>\$265,549</u>	<u>\$270,860</u>
<b>Personnel Sub-Total</b>	<b>\$622,166</b>	<b>\$631,965</b>	<b>\$643,459</b>	<b>\$655,182</b>	<b>\$668,286</b>
Travel	\$35,000	\$0	\$0	\$0	\$0
Operating Services	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000
Supplies	\$40,875	\$40,875	\$40,875	\$40,875	\$40,875
Professional Services	\$6,835	\$6,835	\$6,835	\$6,835	\$6,835
Other Charges	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
IAT - Telephones	\$4,746	\$1,500	\$1,500	\$1,500	\$1,500
Acquisitions	<u>\$330,535</u>	\$0	\$0	<u>\$196,770</u>	\$0
<b>TOTAL</b>	<b>\$1,054,157</b>	<b>\$695,175</b>	<b>\$706,669</b>	<b>\$915,162</b>	<b>\$731,496</b>
<b>T.O.</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>

Note: In subsequent fiscal years, the fiscal note presumes a 2% increase in salaries and related benefits as well as acquisitions of replacement automobiles in FY 25.

**New Statutory Dedication in the Dept. Treasury** - Creating a new statutory dedication (Public Safety Ignition Interlock Regulation Fund) within the state treasury will result in a marginal workload increase for the Department of Treasury, which can generally be absorbed within existing resources. However, to the extent other legislative instruments create new statutory dedications, there may be material additional costs associated with the aggregate effort to administer these funds. The Treasury performs fund accounting, financial reporting, banking, and custodial functions for 404 special funds. When unable to absorb additional workload with existing resources, the Treasury anticipates that it will be required to add one T.O. position at a total personnel services cost of approximately \$71,000 plus approximately \$2,450 for a one-time purchase of office equipment. These expenditures are assumed to be state general fund in this fiscal note.

**REVENUE EXPLANATION Continued from Page 1**

Under the proposed law, offenders convicted of a 2nd or subsequent offense with ignition interlock devices will be assessed a one-time \$10 installation verification form fee and a \$5 monthly calibration fee. Based on FY 19 actual data, DPS estimates 10,432 convicted DWI offenders, but is unable to determine the number of 2nd or subsequent offense offenders. Therefore, the number of offenders that will be assessed a \$10 installation verification form fee and \$5 monthly calibration fee is unknown.

**Proposed Law Total Revenue**

Manufacturer Certification	\$14,000
Service Center Certification	\$15,000
Technician Certification	Indeterminable
DWI Offender Assessment	<u>Indeterminable</u>
<b>Total Revenue</b>	<b>\$29,000*</b>

\*Increased revenue of \$29,000 represents the minimum amount of anticipated revenue by the Applied Technology Unit within State Police. There are seven manufacturers providing interlock devices in the state, but it is unknown how many models of interlocking device manufacturers are in use. The fiscal note presumes each of the seven manufacturers would have at least two models. There are approximately 120 service centers in the state. The fiscal note presumes that all 120 service centers would be licensed by September 2022. The number of technicians employed by the 120 service centers is unknown; therefore, the amount of revenue from certifying technicians is indeterminable. The number of offenders convicted of a 2nd or subsequent offense is unknown; therefore, the amount of revenue from installation verification forms and \$5 monthly calibration fees is indeterminable.

**Office of Motor Vehicles** - Proposed law will increase self-generated revenues in the Office of Motor Vehicles as a result of increased restricted driver's licenses issued to drivers convicted of DWI with a blood alcohol concentration (BAC) level of 0.15% or greater. In present law, a restricted driver's license is issued to convicted DWI offenders with a BAC of 0.20% or greater. The proposed law decreases the BAC level from 0.20% to 0.15%; thereby increasing the number of drivers convicted of DWI offense that will be issued a restricted driver's license. Because the number of drivers who may be issued a restricted driver's license under the proposed law is unknown, revenue derived from this source is indeterminable.

Senate  
 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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