

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



Fiscal Note On: **HB 769** HLS 22RS 608

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 13, 2022	3:04 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 +\$946,644 EX See Note  
Provides relative to ignition interlock devices and maintenance services

Page 1 of 2

Proposed law changes the blood alcohol concentration (BAC) level to 0.15% 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, Office of State Police. Beginning 8/01/22, proposed law requires all new ignition interlock devices installed to have a camera and by 1/31/23 all previously installed devices have a camera. Beginning 8/01/22, 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 not in compliance, suspend or revoke certifications, and respond to complaints; provides for administrative hearings; and an ignition interlock affordability plan (50% of certain fees) for those receiving SNAP, Medicaid, Social Security Disability, or services of indigent public defender.

<b>EXPENDITURES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>5 -YEAR TOTAL</b>
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	\$946,644	\$901,105	\$919,592	\$829,850	\$849,463	<b>\$4,446,654</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><u>\$0</u></b>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>5 -YEAR TOTAL</b>
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><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law will increase expenditures by \$946,644 out of the newly created statutorily dedicated Public Safety Ignition Interlock Regulation Fund in the Department of Public Safety (DPS), Office of State Police beginning in FY 22. The proposed law authorizes DPS to utilize fees deposited into the Public Safety Ignition Interlock Regulation Fund to cover expenditures to implement this measure. To the extent fee collections may be insufficient, the Legislative Fiscal Office assumes DPS may require additional funding from another state source, presumably SGF.

**Office of State Police - \$685,376** - DPS reports needing five (5) additional staff within the Applied Technology Unit of State Police at an annual cost of \$946,644. The staffing estimate includes \$668,942 (salaries and related benefits) for one State Police Sergeant and four State Police Troopers. Other recurring costs include travel (\$35,000), maintenance (\$15,000), office supplies (\$1,500), automotive maintenance (\$42,000), investigation expenses (\$5,000), cellphones and computer equipment (\$6,930).

Based on information from the Office of Technology Services (OTS), DPS estimates one-time costs to include 300 work hours at a total cost of \$24,348 (300 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 5 additional staff including uniforms (\$12,500), camera (\$750), firearms, vests, tasers, and stop sticks (\$25,890). Also, DPS will finance costs for three years of automobiles, radar, radios, and equipment (\$108,784). See Table on Page 2.

**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 \$774,170, 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 re-certification 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 authorized in this proposed law are as follows:

- (1) Manufacturer Device Certification (per model) - \$1,000 initial and \$500 annual renewal beginning in FY 23
- (2) Service Center Certification - \$250 initial and \$75 annual renewal beginning in FY 24
- (3) Ignition Interlock Technician Certification - \$50 initial and \$25 renewal beginning in FY 25
- (4) Initial Calibration Technician Certification - \$25 initial and \$10 renewal beginning in FY 25
- (5) Installation Verification Form\* - \$10 paid by violators beginning in FY 23
- (6) 30-Day Calibration\* - \$5 paid by violators beginning in FY 23

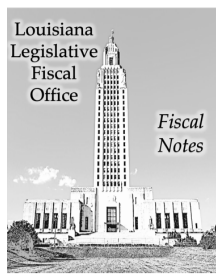
\* The Legislative Fiscal Office (LFO) assumes these fees will be assessed on individuals required to install an ignition interlock device.

**REVENUE EXPLANATION Continue on Page 2**

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}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Interim Deputy Fiscal Officer**



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

**DPS Projected Operating Budget Impact**

<b>EXPENDITURES</b>	<b>FY 22-23</b>	<b>FY 23-24</b>	<b>FY 24-25</b>	<b>FY 25-26</b>	<b>FY 26-27</b>
Personnel (5 Trooper positions)	\$367,160	\$378,175	\$389,520	\$401,206	\$413,242
Related Benefits	<u>\$301,782</u>	<u>\$308,716</u>	<u>\$315,858</u>	<u>\$323,214</u>	<u>\$330,791</u>
<b>Personnel Sub-Total</b>	<b>\$668,942</b>	<b>\$686,891</b>	<b>\$705,378</b>	<b>\$724,420</b>	<b>\$744,033</b>
Travel	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000
Operating Services	\$123,784	\$123,784	\$123,784	\$15,000	\$15,000
Supplies	\$56,750	\$43,500	\$43,500	\$43,500	\$43,500
Other Charges	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
IAT - Programming/Telephones	\$31,278	\$6,930	\$6,930	\$6,930	\$6,930
Acquisitions	<u>\$25,890</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>TOTAL</b>	<b>\$946,644</b>	<b>\$901,105</b>	<b>\$919,592</b>	<b>\$829,850</b>	<b>\$849,463</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 3% increase in salaries and related benefits.

**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 436 special funds. When unable to absorb additional workload with existing resources, the Treasury anticipates it will be required to add one T.O. position at a total personnel services cost of approximately \$73,000, plus approximately \$2,450 for a one-time purchase of office equipment. These expenditures are assumed to be SGF in this fiscal note.

**Division of Administrative Law (DAL)** - Proposed law may result in an indeterminable increase associated with administrative hearings by the Division of Administrative Law (DAL). The proposed law provides that any administrative hearing to resolve a dispute related to the regulation of the self-insurance fund will be conducted by an administrative law judge with the DAL. The Legislative Fiscal Office cannot anticipate the number of administrative hearings that will actually occur. To the extent there are administrative hearings, the current DAL rates are \$160.82 per judicial hour and \$86.27 per clerical hour.

**REVENUE EXPLANATION Continued from Page 1**

**FY 23** - There are seven manufacturers. DPS estimates a minimum revenue collected of \$14,000 in fees (7 manufacturers x 2 devices x \$1,000 initial device certification). Under the proposed law, individuals 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 before the COVID pandemic, DPS estimates 10,432 convicted DWI offenders will have installed interlock devices and assessed fees of \$730,170 (\$104,310 = 10,431 x \$10 verification form; and \$625,860 = 10,431 x \$5 for 30-day certification x 12 months).

**FY 24** - There are approximately 120 service centers. DPS estimates revenue collection of \$30,000 (120 service centers x \$250 initial service center certification).

**FY 25** - Since the number of interlock technicians and calibration technicians employed by service centers is unknown, the revenue from the certification of technicians is indeterminable.

	<b>Proposed Law Total Revenue</b>				
	<b>FY 22-23</b>	<b>FY 23-24</b>	<b>FY 24-25</b>	<b>FY 25-26</b>	<b>FY 26-27</b>
Manufacturer Certification	\$14,000	\$7,000	\$7,000	\$7,000	\$7,000
Service Center Certification	\$0	\$30,000	\$9,000	\$9,000	\$9,000
Technician Certifications	--	--	Indeterminable	--	--
DWI Offender Assessment	<u>\$730,170</u>	<u>\$730,170</u>	<u>\$730,170</u>	<u>\$730,170</u>	<u>\$730,170</u>
<b>Total Revenue</b>	<b>\$774,170</b>	<b>\$767,170</b>	<b>\$746,170</b>	<b>\$746,170</b>	<b>\$746,170</b>

Note: 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.

**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 offenses that will be issued a restricted driver's license that cost an additional \$50. 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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