

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 19
 Bill Version: CSHB 4 (FIN)
 (H) Publish Date: 4/28/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: "An Act relating to offenses involving operating BRU: Motor Vehicles
a motor vehicle, aircraft, or watercraft while under the..." Component: _____
 Sponsor: Representative Rokeberg
 Requester: H (FIN) Component Number: 2348

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	153.8	153.8	153.8	153.8	153.8	153.8
Travel						
Contractual	24.4	22.2	22.2	22.2	22.2	22.2
Supplies	6.8	1.4	1.4	1.4	1.4	1.4
Equipment	21.6	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	206.6	177.4	177.4	177.4	177.4	177.4

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (1005)	347.5	347.5	347.5	347.5	347.5	347.5
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	206.6	177.4	177.4	177.4	177.4	177.4
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	206.6	177.4	177.4	177.4	177.4	177.4

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time	3	3	3	3	3	3
Part-time	1	1	1	1	1	1
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See Page 2 for detailed analysis.

Prepared by: Charles R. Hosack Phone 269-5559
 Division: Motor Vehicles Date/Time April 6, 2001
 Approved by: Jim Duncan, Commissioner Date 4/6/01
 Agency: Department of Administration

For distribution information, call the Governor's Legislative Office

This bill will have a fiscal impact in two separate areas of the division.

1. Administrative Hearings

Before DMV can take any action on a driver license or vehicle registration, it must offer the person affected an opportunity to contest the action in an administrative hearing. There are four sections in this bill that will increase the number of hearings conducted.

Section 7 of the bill requires DMV to revoke the registration of any vehicle operated in a DUI offense (5400 arrests in 2000). Offenders, owners, and co-owners may request a hearing on this revocation. First time offenders may request limited registration privileges in the last 60 days of the registration revocation. Sections 35 and 48 require the surrender of license plates for all vehicles owned by the offender. Co-owners may request a hearing to contest this action. Section 28 of the bill lowers the BAC threshold to .08. The state estimates that this will increase DUI arrests by 5-15% and many of those offenders will request a hearing and then appeal the new .08 BAC to superior court.

Cases are now scheduled for hearing 30 – 45 days out. The division’s 2 hearing officers are fully occupied with the current caseload. Adding cases without additional staffing will push hearing dates out 60 days or more. The timeliness of the hearings is a critical factor since the offender is allowed to continue to drive while awaiting a hearing. These hearings are a quasi-judicial process and will require one additional hearing officer and one support person. All correspondence related to the hearing must be sent by registered mail and this will increase postage costs.

		First Year	On-going Years
1 PFT Hearing Officer, range 16	\$55.1	\$55.1	
1 PFT position for admin support, range 10		\$39.5	\$39.5
Equipment and associated costs		\$17.4	\$ 2.8
Postage (5000 letters @ 3.60)		\$18.0	\$18.0
Total Cost		\$130.0	\$115.4

2. Sections 33 and 47 Registration Revocation on All Vehicles Owned by Felony Offenders
 Sections 35 and 48 Surrender of License Plates for Repeat Offenders

These four sections are grouped together because the work actions are the same. DMV must either revoke registrations or require the surrender of license plates. Each action requires researching the vehicle records, making multiple entries in the record, and, in the case of revocations, sending notice to the vehicle owners and issuing a new registration. Additional work will be required to reinstate the registrations after the revocation period.

		First Year	On-going Years
1.5 PFT position for admin support, range 10		\$59.2	\$59.2
Equipment and associated costs		\$17.4	\$ 2.8
Total Cost (First Year)		\$76.6	\$62.0

3. Revenue

The license reinstatement fees for DWI offenders is increased by \$100 for first time offenders and by \$250 for repeat offenders. On average there are 3200 first time offenders and 1500 repeat offenders each year. Approximately 50% of these will reinstate the license. The remainder either leave the state or find the cost of the required insurance unaffordable. The combined revenue for those that do reinstate is estimated to be \$347,500 annually.