

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: HB 3324 - A**Seventy-Sixth Oregon Legislative Assembly – 2011 Regular Session
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Date: April 28, 2011**Measure Description:**

Requires certain persons to install ignition interlock device for five years after person's driving privileges are restored following suspension or revocation of driving privileges.

Government Unit(s) Affected:

Judicial Department, Oregon Department of Transportation (ODOT)

Summary of Expenditure Impact - ODOT

	2011-13 Biennium	2013-15 Biennium
Other Funds	478,743	
Total Funds	\$478,743	\$0
Positions	1	
FTE	0.64	

Summary of Revenue Impact - ODOT

	2011-13 Biennium	2013-15 Biennium
Other Funds	187,500	750,000
Total Funds	\$187,500	\$750,000

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

HB 3324 provides that a person must use a driving interlock device for a period of five years following the reinstatement of driving privileges after a driver's license suspension or revocation when the person was convicted of a crime involving driving under the influence of intoxicants (DUII). The bill establishes a \$50 fee that is payable to ODOT when ODOT reinstates driving privileges or issues a hardship permit following conviction of DUII or when ODOT reinstates driving privileges following conviction of a crime involving DUII.

The fiscal impact of this bill relates to the programming that will be required to implement the \$50 fee. The \$478,743 Other Funds (Highway Fund) in start-up costs includes a 0.64 FTE limited-duration Information Systems 7 position at a cost of \$109,820 plus business and technical team support, for a total personal services cost of \$266,620 Other Funds. Services and Supplies costs include contract services costs of \$189,600 Other Funds for programming and project management, \$4,110 Other Funds for Attorney General rule review, and \$18,413 Other Funds for quality assurance oversight of the project.

The bill is effective January 1, 2012. ODOT has some critical programming requirements, including a federally-mandated Commercial Driver License automation project, which must be completed to retain Federal certification or risk the loss of Federal Highway Funds. Therefore, ODOT reports that it cannot complete the programming requirements and implement the bill prior to January 1, 2013 due to the total programming demands on the agency. It is important to note that DMV analyzes all legislation that passes and develops a work plan to complete all these changes together in order to efficiently complete the necessary work. Therefore, while each bill is analyzed for changes as if that were the only change necessary, actual programming time could be reduced due to efficiencies. The Department of Transportation will develop a work plan to address all computer changes required to conform DMV systems to enacted legislation. The Department will then appear before the Emergency Board, if necessary, during the interim to request an expenditure limitation increase needed to address the required work.

The bill has a potential minimal fiscal impact on the Judicial Department based on an estimate of the number of persons who fail to install the required interlock device, resulting in driver license suspension and a potential increase in the number of citations for driving while suspended. This fiscal impact is in the range of \$4,440 to \$8,664 per biennium.