

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 396

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Requires providers of ignition interlock devices to notify court that required device to be installed of any negative reports downloaded from ignition interlock device.

Government Unit(s) Affected:

Judicial Department, Oregon Department of Transportation (ODOT), Oregon Health Authority (OHA)

Summary of Expenditure Impact: See Analysis

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:

The measure requires providers of ignition interlock devices (IIDs) to notify the court that required the device to be installed as a condition of a diversion agreement, of installation of the IID or any negative reports downloaded from the IID within seven days. The measure stipulates that the court may choose to order installation of an IID equipped with a camera if the diversion agreement is not terminated by the court.

Currently, Oregon law requires that IID reports be sent to the circuit court, or the court's designee. According to the Judicial Department, about half of the 36 circuit courts in Oregon utilize a designee through a county Alcohol and Drug Evaluation Specialist (ADES) to receive and process the reports, while the rest of the circuit courts currently receive and process the reports themselves before forwarding them on to the appropriate district attorney and ADES. The changes in reporting requirements by the measure should only impact those courts that have a designated ADES currently receiving the IID reports in lieu of the circuit court.

Circuit courts that previously had a designated ADES receiving the reports will now be required to process and review the reports. The amount of time and associated costs to process and review the reports is indeterminate and will vary by the number of reports issued by the circuit court.

The Judicial Department notes that in Clackamas, Douglas, Jackson, Lane, Multnomah, and Washington counties, the circuit courts have their local ADES receiving and processing the reports. On average, those six county courts have ordered approximately 6,000 to 7,000 DUII diversion cases per year. Based on the yearly average of diversion cases, the estimated cost for just those six courts is anticipated to be approximately \$161,466 General Fund in 2015-17 and \$213,206 General Fund in 2017-19.

ODOT states that the Department of Motor Vehicles is implementing an administrative rule that requires all IID's to be equipped with cameras beginning June 2015. Therefore, this bill does not cause any additional fiscal impact to the Department of Transportation (ODOT) and to the Oregon Health Authority (OHA).