

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4359H.011  
 Bill No.: HB 2083  
 Subject: Highway Patrol; Public Records, Public Meetings  
 Type: Original  
 Date: April 4, 2022

Bill Summary: This proposal modifies provisions relating to Missouri State Highway Patrol fees.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>				
FUND AFFECTED	FY 2023	FY 2024	FY 2025	Fully Implemented (FY 2032)
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>				
FUND AFFECTED	FY 2023	FY 2024	FY 2025	Fully Implemented (FY 2032)
Highway Patrol Traffic Records Fund (0758)*	\$0 to \$2,500	\$0 to \$27,500	\$0 to \$32,500	\$0 to \$152,500
State Highways and Transportation Department Fund (0644)*	\$0 to \$2,915	\$0 to \$3,498	\$0 to \$3,615	\$0 to \$6,415
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0 to \$5,415</b>	<b>\$0 to \$30,998</b>	<b>\$0 to \$36,115</b>	<b>\$0 to \$158,915</b>

\*The MHP is allowed to increase certain fees by \$1 every other year for 10 years.  
 Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>Fully Implemented (FY 2032)</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>				
<b>FUND AFFECTED</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>Fully Implemented (FY 2032)</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$0</b>

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>Fully Implemented (FY 2032)</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §43.253 – Fees paid to the Missouri State Highway Patrol

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume this legislation would add language to §43.253, RSMo, to allow the Missouri State Highway Patrol to charge a minimum fee of \$5.00 to disseminate records requests. The proposal does not mandate a minimum \$5.00 fee be imposed; it simply allows for such. The Superintendent of the Missouri State Highway Patrol would be allowed to increase the minimum fee described in this section by not more than one dollar every other year following this section's effective date, up to a maximum of ten dollars. The current fee for a traffic crash report is calculated at \$4.90 per report and was implemented February 1, 2019. This legislation would result in a slight increase in that fee to \$5.00. The Patrol Records Division disseminates approximately 30,000 crash reports per year, this would result in a nominal increase in the amount of approximately \$2,500 of state revenue collected and deposited into the Traffic Records Fund (0758). This proposed legislation would also allow the Custodian of Records to charge fees on records requests that are not currently charged. The Patrol's Custodian of Records usually does not charge for open records requests that take a limited time to process. The Patrol could also charge for approximately 700 records requests a year that are not currently charged, resulting in a \$3,000 increase to be deposited into the Highway Fund (0644) in the initial year.

Any funding increase realized by the Traffic Records Fund will be reinvested in the electronic report dissemination software. This enhancement will allow individuals to request, purchase, and receive records requests through an electronic portal.

The increased revenue could be realized if fees are increased to their maximum allowable amount:

FY23 Based on 10/12 rule

Traffic crash reports

$(30,000 \times 0.8333 =) 25,000$  traffic crash reports  $\times$  \$0.10 fee increase = **\$2,500**

Other records requests

$(700 \times 0.833 =) 583$  records requests  $\times$  \$5.00 = **\$2,915**

Total \$2,500 + \$2,915 = \$5,415

FY24 Based on 10/12 rule

Traffic crash reports

$(30,000 \times 0.8333 =) 25,000$  traffic crash reports  $\times$  \$1 increase (fee at \$6) = **\$25,000**

Other records requests

$(700 \times 0.8333 =) 583$  records requests  $\times$  \$1 increase (fee at \$6) = **\$583**

Total \$25,000 + \$583 = \$25,583

FY26 Traffic Crash Reports

30,000 x \$1 increase (fee at \$7) = **\$30,000**

Other records requests

700 x \$1 increase (fee at \$7) = **\$700**

FY28 Traffic Crash Reports

30,000 x \$1 increase (fee at \$8) = **\$30,000**

Other records requests

700 x \$1 increase (fee at \$8) = **\$700**

FY30 Traffic Crash Reports

30,000 x \$1 increase (fee at \$9) = **\$30,000**

Other records requests

700 x \$1 increase (fee at \$9) = **\$700**

FY32 Traffic Crash Reports

30,000 x \$1 increase (fee at \$10) = **\$30,000**

Other records requests

700 x \$1 increase (fee at \$10) = **\$700**

**Oversight** notes the increase in fees will result in the revenue from these fees compounding over the years from FY23 through FY32 as shown below:

$\$2,500 + \$30,000 + \$30,000 + \$30,000 + \$30,000 + \$30,000 = \$152,500$  (Traffic fund)

$\$2,915 + \$700 + \$700 + \$700 + \$700 + \$700 = \$6,415$  (Highway fund).

Oversight also notes the revenue presented for FY32 was determined under the assumption that the MHP will increase the minimum fee as outlined in this proposal (additional \$1 every other year).

However, because this proposal is permissive, Oversight will range the revenue from \$0 (no increase in fees) to the estimate of \$152,500 (fee not to exceed \$10) to the Highway Patrol Traffic Records Fund and \$6,415 (fee not to exceed \$10) to the State Highways and Transportation Department Fund for fiscal note purposes.

<u>FISCAL IMPACT – State Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025	Fully Implemented (FY 2032)
<b>HIGHWAY PATROL TRAFFIC RECORDS FUND (0758)</b>				
Revenue – MHP (§43.253) Fees from records request	<u>\$0 to \$2,500</u>	<u>\$0 to \$27,500</u>	<u>\$0 to \$32,500</u>	<u>\$0 to \$152,500</u>
<b>ESTIMATED NET EFFECT ON THE HIGHWAY PATROL TRAFFIC RECORDS FUND</b>	<u>\$0 to \$2,500</u>	<u>\$0 to \$27,500</u>	<u>\$0 to \$32,500</u>	<u>\$0 to \$152,500</u>
<b>STATE HIGHWAYS AND TRANSPORTATION DEPARTMENT FUND (0644)</b>				
Revenue – MHP (§43.253) Fees from records request	<u>\$0 to \$2,915</u>	<u>\$0 to \$3,498</u>	<u>\$0 to \$3,615</u>	<u>\$0 to \$6,415</u>
<b>ESTIMATED NET EFFECT ON THE STATE HIGHWAYS AND TRANSPORTATION FUND</b>	<u>\$0 to \$2,915</u>	<u>\$0 to \$3,498</u>	<u>\$0 to \$3,615</u>	<u>\$0 to \$6,415</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025	Fully Implemented (FY 2032)
	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

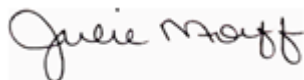
This bill provides that the State Highway Patrol may charge a minimum fee of \$5 for any records request where there are currently allowable fees of less than \$5. Such \$5 fee will be in place of any allowable fees of less than \$5. The superintendent of the State Highway Patrol may increase this minimum fee by no more than \$1 every two years beginning on August 28, 2023. This minimum fee shall not exceed \$10.

Additionally, a request for public records to the State Highway Patrol shall be considered withdrawn if the requester fails to pay all required fees within 30 days of a request for payment.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety –  
Missouri Highway Patrol



Julie Morff  
Director  
April 4, 2022



Ross Strobe  
Assistant Director  
April 4, 2022