

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



Fiscal Note On: **SB 3** SLS 19RS 57

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 23, 2019	10:25 AM	<b>Author:</b> MIZELL
<b>Dept./Agy.:</b> Department of Public Safety/OMV		<b>Analyst:</b> Willis Brewer
<b>Subject:</b> Authority to waive penalty under certain circumstances		

MOTOR VEHICLES EG SEE FISC NOTE SG EX See Note Page 1 of 1  
Provides authority for the commissioner of the OMV to waive any penalty, procedure, or requirement for failure to maintain insurance provided that the principal driver of the motor vehicle is the owner's spouse or child who was in the hospital or Present law requires motor vehicles used on highways to be covered by motor vehicle liability security and requires the registered owner of a motor vehicle to maintain the security.

Proposed law authorizes the commissioner of the DPS&C, public safety services, office of motor vehicles, to waive any penalty, procedure, or requirement if the motor vehicle liability security expired or canceled when the motor vehicle's principal driver was the registered owner or owner's spouse or child who was in the hospital or has died, and the registered owner presents proof of such exceptional circumstance to the commissioner.

Effective upon signature of the governor or lapse of time for gubernatorial action.

<b>EXPENDITURES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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>\$0</b>
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
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Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law will have an indeterminable impact on the Department of Public Safety (DPS) and Office of Motor Vehicles (OMV) expenditures as a result of an unknown number of waiver requests that would require review in order to ensure validity. While proposed law does not require the DPS commissioner to waive any penalty, the department may receive an unknown number of waiver requests that may result in an unknown workload impact to review and confirm the validity of these requests.

*Note: DPS reports that it currently does not receive official information identifying a vehicle's assigned principal driver.*

**REVENUE EXPLANATION**

Proposed law will have an indeterminate impact on Department of Public Safety (DPS) revenues from the potential waiver of penalties charged to reinstate a driver's license in the event motor vehicle liability security is expired or canceled. These revenues are primarily SGR, but a portion of the penalties are deposited into the statutorily dedicated Insurance Verification System Fund for the Office of Motor Vehicles (OMV) and the Office of State Police (OSP). Over the last three years, the OMV has collected an average of \$61.5 M in associated penalties. While the number of penalties that may be waived is indeterminable, to the extent proposed law results in penalty waivers, the department will realize a loss of SGR and statutorily dedicated revenues equal to the waived penalties.

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**  
**Staff Director**