

Fiscal Note & Local Impact Statement

122nd General Assembly of Ohio

BILL: Am. H.B. 141 DATE: March 19, 1997

STATUS: As Reported by House Transportation and Public Safety SPONSOR: Rep. Cates

LOCAL IMPACT STATEMENT REQUIRED: No — Permissive

CONTENTS: Prohibits vehicle registration or driver's license issuance to a motorist with an outstanding arrest warrant

State Fiscal Highlights

STATE FUND	FY 1997	FY 1998	FUTURE YEARS
Bureau of Motor Vehicles Fund			
Revenues	Potential gain	Potential gain	Potential gain
Expenditures	Potential increase	Potential increase	Potential increase

- The Bureau would incur some costs for administering the bill's provisions, however, the \$15 processing fee charged to each person with a warrant would more than pay for these costs. The BMV's costs are expected to be fairly negligible as the administrative functions required by the bill are carried out in the Bureau's everyday course of business. It is not known how many courts would elect to inform the BMV of this information, thus, it can not be estimated how much revenue would be generated.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1997	FY 1998	FUTURE YEARS
Counties and municipalities			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Minimal effect	Minimal effect	Minimal effect

- Only those courts (municipal or county courts) electing to notify the registrar of warrants would be affected. The bill requires the notifications to be made electronically (which many courts do now on a regular basis). Generally, only the courts that are technologically equipped and can capture data effectively, including updating current lists of outstanding warrants, will likely take advantage of the bill. For those courts that are able to operate under the bill's provisions, they will likely see a decreasing costs.



Detailed Fiscal Analysis

The bill permits a clerk of courts (of a municipal or county court) to notify the registrar of the Bureau of Motor Vehicles (BMV) of any person for whom there is an arrest warrant. The registrar would then be prohibited from issuing a certificate of registration to a vehicle in that person's name, or issue a driver's license or temporary driver's permit to that person. The court's notification to the registrar informing of a warrant issued or canceled would have to be transmitted electronically. The registrar would then be required to enter this information into the Bureau's records, and would have to send a notice to the person via first class mail informing them of the prohibitions. The clerk of courts would have to charge and collect from the person named in the warrant a \$15 processing fee. All fees would have to be transmitted monthly to the Bureau to cover the BMG's costs in administering the bill's provisions. The Bureau would incur some costs, however, the \$15 processing fee charged to each person with a warrant would more than pay for these costs. The costs are expected to be fairly negligible as many of the administrative functions required by the bill are carried out in the Bureau's everyday course of business.

Only those courts electing to notify the registrar of warrants would be affected. The bill requires the notifications to be made electronically (which many courts do now on a regular basis). Generally only the courts that are technologically equipped and can efficiently capture data effectively, including updating current lists of outstanding warrants, will likely take advantage of the bill. For those courts that are able to operate under the provisions of the bill, they will likely see a decrease in costs. The provisions of the bill will provide these courts with another tool to collect delinquent fines, court costs, and other miscellaneous fees. In addition it could reduce a court's failure to appear cases and ultimately the court docket. For example, a representative from Hamilton County stated they have up to a 60 percent failure to appear rate on offender's court appearances. The results of an offender's failure to appear can lead to additional warrants, backlogs on the court dockets, and increased investigation costs to find those individuals. Investigation costs include sworn bailiffs who spend time tracking down offenders who fail to appear in court. Ultimately, the bill would operate as an incentive for offenders to go to court.

□ *LBO staff: Linda Bailiff Piar, Senior Analyst*

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