

HF3385 - 0 - "Driving without license repeat"

Chief Author: **Josh Heintzeman**
 Committee: **Transportation Policy and Finance**
 Date Completed: **03/29/2016**
 Lead Agency: **Public Safety Dept**
 Other Agencies:
 Public Defense Board Supreme Court
 Corrections Dept Sentencing Guidelines Comm

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium	
	FY2015	FY2016	FY2017	FY2018	FY2019
Dollars in Thousands					
State Total					
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2015	FY2016	FY2017	FY2018	FY2019
Total	-	-	-	-	-

Lead Executive Budget Officer's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with MMB's Fiscal Note policies.

EBO Signature: Stewart McMullan Date: 03/29/2016
 Phone: 651 201-8026 Email: stewart.mcmullan@state.mn.us

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

HF3385 - 0 - "Driving without license repeat"

Chief Author: **Josh Heintzeman**
 Committee: **Transportation Policy and Finance**
 Date Completed: **03/29/2016**
 Agency: **Public Defense Board**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
 Reductions shown in the parentheses.

State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-

Executive Budget Officer's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with MMB's Fiscal Note policies.

EBO Signature: Jim King Date: 3/29/2016 5:47:14 PM
 Phone: 651 201-8033 Email jim.king@state.mn.us

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

The bill would increase penalties and establishes minimum fines for individuals who have repeat violations of driving without a valid license.

A gross misdemeanor is established if the person is found guilty under M.S. 171.24 and is involved in a collision that results in substantial bodily harm or death to another person. There is a provision for a misdemeanor offense (and \$1,500 fine) if a person is found guilty under this section within ten years of their first conviction under this section.

Assumptions

the section of the bill that increases the penalty from a misdemeanor to a gross misdemeanor may increase the number of cases that go to trial however it is difficult to estimate what that might be.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Kevin Kajer

Phone: 651 296-4783

Date: 3/29/2016 2:52:26 PM

Email: Kevin.kajer@pubdef.state.mn.us

HF3385 - 0 - "Driving without license repeat"

Chief Author: **Josh Heintzeman**
 Committee: **Transportation Policy and Finance**
 Date Completed: **03/29/2016**
 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
 Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium	
	FY2015	FY2016	FY2017	FY2018	FY2019
Dollars in Thousands					
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2015	FY2016	FY2017	FY2018	FY2019
Total	-	-	-	-	-

Executive Budget Officer's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with MMB's Fiscal Note policies.

EBO Signature: Jim King Date: 3/29/2016 5:47:32 PM
 Phone: 651 201-8033 Email jim.king@state.mn.us

State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

HF3385-0 amends Minn. Stat. § 171.24 (driving without a valid license) by: 1) making it a gross misdemeanor to violate section 171.24 and be involved in a collision resulting in substantial bodily harm or death to another; 2) making it a gross misdemeanor to violate section 171.24 within ten years of the first of two prior convictions; 3) requiring a person convicted of second violation of section 171.24 to pay a minimum fine of \$750; 4) requiring a person convicted of a third or subsequent violation under the new gross misdemeanor provision to pay a minimum fine of \$1,500; 5) authorizing the court to authorize community work service in lieu of fine payment if the court finds the convicted person is indigent or that fine payment would create an undue hardship for the person or the persons immediate family; and 6) providing that nothing in section 171.24, 609.035, or 609.04 limits the power of the state to prosecute or punish a person for conduct that constitutes any other crime under any other law of the state.

Assumptions

It is assumed that because the provisions of this bill do not create new offenses, and only increase the penalties for certain driving without a valid license offenses, this bill will not result in an increase or decrease in the number of cases filed with the court.

The bill mandates that persons convicted of a second misdemeanor violation of section 171.24 must pay a minimum fine of \$750. Court administration is not in a position or legally authorized to determine a particular defendants prior record or impose a higher fine in certain cases. It is assumed that because misdemeanor driving without a valid license citations may be paid without a court appearance under the Statewide Payables List, all defendants charged by citation with a misdemeanor offense who pay the citation without a court appearance will pay the fine amount stated on the Statewide Payables List.

It is also assumed that although driving without a valid license offenses may be paid without a court appearance under the Statewide Payables List, offenses that involve endangerment to persons or property, and repeat offenses charged by complaint, currently require a court appearance under the Statewide Payable Offense Policy. It is assumed that gross misdemeanor violations of section 171.24 will not require more Judicial Branch resources than misdemeanor violations of section 171.24 that currently require a court appearance.

Expenditure and/or Revenue Formula

Because the provisions of this bill do not create new offenses, and only increase the penalties for certain driving without a valid license offenses that already require a court appearance, the provisions of this bill are not anticipated to have a measurable fiscal impact on the Judicial Branch.

Long-Term Fiscal Considerations

None

Local Fiscal Impact

None

References/Sources

Agency Contact: Janet Marshall

Agency Fiscal Note Coordinator Signature: Janet Marshall

Phone: 651 297-7579

Date: 3/29/2016 2:34:37 PM

Email: Janet.marshall@courts.state.mn.us

HF3385 - 0 - "Driving without license repeat"

Chief Author: **Josh Heintzeman**
 Committee: **Transportation Policy and Finance**
 Date Completed: **03/29/2016**
 Agency: **Corrections Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
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State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-

Executive Budget Officer's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with MMB's Fiscal Note policies.

EBO Signature: Jim King Date: 3/29/2016 5:48:01 PM
 Phone: 651 201-8033 Email jim.king@state.mn.us

State Cost (Savings) Calculation Details

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Dollars in Thousands		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

The proposed legislation would enhance penalties and establish minimum fines for repeat violations of driving without a valid license.

Assumptions

This bill contains no new or amended felony crimes.

There would be no impact on state prison beds or supervision caseloads.

This bill would be effective August 1, 2016 and apply to offenses committed on or after that date.

Expenditure and/or Revenue Formula

N/A

Long-Term Fiscal Considerations

N/A

Local Fiscal Impact

The estimated fiscal impact on local correctional resources is unknown, but expected to be minimal.

References/Sources

Department of Corrections staff

Minnesota Sentencing Guidelines Commission

Agency Contact: Karen Juneski 651-361-7259

Agency Fiscal Note Coordinator Signature: Chris Dodge

Phone: 651 361-7264

Date: 3/29/2016 2:25:54 PM

Email: Chris.Dodge@state.mn.us

HF3385 - 0 - "Driving without license repeat"

Chief Author: **Josh Heintzeman**
 Committee: **Transportation Policy and Finance**
 Date Completed: **03/29/2016**
 Agency: **Sentencing Guidelines Comm**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-

Executive Budget Officer's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with MMB's Fiscal Note policies.

EBO Signature: Jim King Date: 3/24/2016 3:14:42 PM
 Phone: 651 201-8033 Email jim.king@state.mn.us

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

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Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

This bill enhances penalties and establishes minimum fines for repeat violations of driving without a valid license. This bill amends Minnesota Statutes 2014, section 171.24.

Minn. Stat. § 171.24 is amended to include that a person is guilty of a gross misdemeanor if the person violates this section and is involved in a collision resulting in substantial bodily harm or death to another. A person is guilty of a misdemeanor and is subject to the minimum penalty (a fine of at least \$1,500 dollars), if the person violates this section within ten years of the first of two prior convictions under this section.

This bill is effective August 1, 2016, and applies to offenses committed on or after that date.

Assumptions

There are no felony penalties in the bill, so there will be no impact on state prison resources.

MSGC does not have the information necessary to assess the impact on local correctional resources.

Expenditure and/or Revenue Formula

None.

Long-Term Fiscal Considerations

There are no felony penalties in the bill, so there will be no impact on state prison resources.

Local Fiscal Impact

MSGC does not have the information necessary to assess the impact on local correctional resources.

References/Sources

None.

Agency Contact:

Agency Fiscal Note Coordinator Signature: Anne Wall
Phone: 651 757-1721

Date: 3/24/2016 2:58:05 PM
Email: Anne.Wall@state.mn.us

HF3385 - 0 - "Driving without license repeat"

Chief Author: **Josh Heintzeman**
 Committee: **Transportation Policy and Finance**
 Date Completed: **03/29/2016**
 Agency: **Public Safety Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Executive Budget Officer's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with MMB's Fiscal Note policies.

EBO Signature: Stewart McMullan Date: 3/29/2016 5:48:37 PM
 Phone: 651 201-8026 Email stewart.mcmullan@state.mn.us

State Cost (Savings) Calculation Details

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Dollars in Thousands		FY2015	FY2016	FY2017	FY2018	FY2019
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

This bill will enhance penalties and establish minimum fines for some repeat violations of driving without a valid license.

Assumptions

No Fiscal impact for the State Patrol.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: Rochelle Schrofer 651-207-7113

Agency Fiscal Note Coordinator Signature: Larry Freund

Phone: 651 201-7050

Date: 3/25/2016 10:27:41 AM

Email: Larry.Freund@state.mn.us