

February 17, 2020

The Honorable Rick Wilborn, Chairperson
Senate Committee on Judiciary
Statehouse, Room 541C-E
Topeka, Kansas 66612

Dear Senator Wilborn:

SUBJECT: Fiscal Note for SB 358 by Senate Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning SB 358 is respectfully submitted to your committee.

SB 358 would transfer oversight of the DUI-IID Designation Fund from the Department of Revenue to the Highway Patrol. The bill would specify that the Highway Patrol would approve interlock ignition devices that may be used for individuals with restricted driving privileges. The bill would also transfer authority to adopt rules and regulations for approval of the models, calibration and maintenance of interlock ignition devices from the Secretary of Revenue to the Superintendent of the Highway Patrol. The bill would require the Highway Patrol, instead of the Department of Revenue, to ensure that each approved manufacturer of interlock ignition devices has a statewide service network where the devices could be obtained, repaired, replaced, or serviced.

The bill would require the Superintendent of the Highway Patrol, instead of the Secretary of Revenue, to require that each manufacturer must provide a credit of at least 2.0 percent of the gross program revenues in the state as a credit for those persons who have otherwise qualified to obtain an ignition interlock restricted license but are indigent. The bill would also require the Highway Patrol, instead of the Secretary of Revenue, to give written notice of the approval to the manufacturer of a device. The bill would also require manufacturers to reimburse the Highway Patrol, instead of the Department of Revenue, for costs incurred in approving or disapproving ignition interlock devices. Finally, the bill would require all rules and regulations in effect regarding the ignition interlock devices on June 30, 2020, to continue to be effective until amended, revoked or nullified.

The Kansas Highway Patrol indicates enactment of SB 358 would have a negligible fiscal effect on the agency. Currently, the Patrol administers the Interlock Ignition Program, incurs expenses, and seeks reimbursement from the Department of Revenue. The bill would transfer the DUI-IID Designation Fund to the Patrol which would make reimbursement no longer necessary.

The Department of Revenue indicates that enactment of the bill would have no fiscal effect. Any fiscal effect associated with SB 358 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. L. Campbell". The signature is written in a cursive style with a large, sweeping initial "L".

Larry L. Campbell
Director of the Budget

cc: Sherry Macke, Highway Patrol
Lynn Robinson, Department of Revenue