

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL MEMORANDUM**

HB 1107 - SB 1346

March 14, 2019

SUMMARY OF ORIGINAL BILL: Establishes that certain personally identifying information contained on motor vehicle accident reports is considered confidential except in certain circumstances.

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures – Exceeds \$50,000*

Other Fiscal Impact – Should the Department of Transportation not be able to share personally identifying information to a third party collector, there could be a reduction of state revenue to the Highway Fund up to \$2,800,000.

SUMMARY OF AMENDMENT (005403): Deletes and rewrites all language after the enacting clause such that the substantive changes (1) remove a person's name and date of birth from the list of personally identifying information, (2) authorize any federal, state, or local government agency to use personally identifying information to carry out the agency's functions (3) authorize a law enforcement entity to release certain information regarding traffic accidents to the public, and (4) establish fines and damages which may be assessed against persons illegally obtaining confidential information and using the information for solicitations.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

On March 9, 2019, a fiscal memorandum was issued estimating a fiscal impact as follows:

*Increase Local Expenditures – Exceeds \$50,000**

As a result of additional information being provided by the Tennessee Association of Chiefs of Police and the Tennessee Sheriffs Association, the estimated fiscal impact for this legislation has been corrected as follows:

(CORRECTED)

NOT SIGNIFICANT

HB 1107 - SB 1346 (CORRECTED)

Corrected assumptions for the bill as amended:

- The proposed language would require addresses, telephone numbers, driver license numbers, and insurance information to be held confidential on a motor vehicle accident report, except when requested by drivers, owners, or passengers who were involved in the motor vehicle accident.
- According to the Department of Safety (DOS) report of traffic crashes in 2018, there were:
 - 152,299 traffic crashes reported by Police Departments.
 - 26,273 traffic crashes reported by Sheriff Departments.
 - 29,222 traffic crashes reported by the Tennessee Highway Patrol
- According to the Department of Safety, the proposed language will not result in any significant fiscal impact to the Department.
- Fines and damages established in the proposed legislation will be assessed against and awarded to private parties. Any increase in the case load of the court system is estimated to be not significant.
- Local law enforcement agencies will be required to redact personally identifying information prior to releasing any motor vehicle accident report to an individual other than certain persons.
- According to the Tennessee Association of Chiefs of Police and the Tennessee Sheriffs Association, the redactions required by the proposed language can be accomplished utilizing existing staff and resources; therefore, any fiscal impact to local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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