

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

HB 1107 - SB 1346

March 4, 2019

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

ESTIMATED FISCAL IMPACT:

On March 2, 2019, a fiscal note was issued for this legislation with the following estimated fiscal impact:

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

As a result of additional information provided by the Department of Transportation, the estimated fiscal impact for this legislation has been corrected as follows:

(CORRECTED)

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.

Corrected Assumptions:

- The proposed language would require names, addresses, dates of birth, 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.

HB 1107 - SB 1346 (CORRECTED)

- According to the Department of Transportation (TDOT), a third party contractor is utilized by TDOT to aid in property damage collections. The third party contractor is provided personally identifying information in order to contact any parties responsible for damage to state property in order to collect reimbursement for the damages.
- Prior to utilizing the third party contractor, TDOT estimates the collection of \$1,500,000 annually from persons damaging state property. Since utilizing the third party, collections have increased to approximately \$4,300,000.
- If TDOT is prohibited from providing personally identifying information to the third party contractor, it is estimated to result in a recurring decrease in state revenue up to \$2,800,000 to the Highway Fund (\$4,300,000 - \$1,500,000).
- 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.
- Due to multiple unknown factors such as the number of requests received by local law enforcement agencies for copies of motor vehicle accident reports by parties who were not involved in the motor vehicle accident, the number of local law enforcement agencies currently utilizing software which is capable of redacting such information, the extent of any increase in local expenditures due to additional labor required for redaction of such information in the absence of redacting software, a precise mandatory recurring increase to local expenditures cannot be determined however is reasonably estimated to exceed \$50,000 annually statewide.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

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



Krista Lee Carsner, Executive Director

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