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FISCAL IMPACT STATEMENT

LS 6572

BILL NUMBER: HB 1203

NOTE PREPARED: Feb 2, 2010

BILL AMENDED: Feb 1, 2010

SUBJECT: Disabled Veteran License Plates.

FIRST AUTHOR: Rep. Smith M

FIRST SPONSOR: Sen. Bray

BILL STATUS: As Passed House

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill:

(1) authorizes a person to apply for, receive, and display a Disabled Veteran license plate on the person's vehicle if the person, as the result of having served in the armed forces of the United States, has been rated by the United States Department of Veterans Affairs (DVA) as being 100% disabled and is receiving service-related compensation from the DVA;

(2) adds the Indiana Gold Star family license plate as a license plate available from the Bureau of Motor Vehicles (BMV) to certain family members of an individual who has died while serving on active duty, or dies as a result of injuries sustained while serving on active duty, as a member of the armed forces of the United States or the National Guard;

(3) requires the BMV to authorize the display of a restored or refurbished authentic license plate from the model year of an antique motor vehicle on an antique motor vehicle;

(4) provides that motorcycle handlebars may not rise higher than the shoulders of the driver when the driver is seated in the driver's seat; and

(5) deletes outdated language.

Effective Date: (Amended) January 1, 2010 (retroactive); July 1, 2010.

Explanation of State Expenditures: *Disabled Veteran License Plate:* Authorizing a person to receive and display a Disabled Veteran license plate who has been rated as being 100% disabled and is receiving service-

related compensation from the VA may result in the issuance of additional Disabled Veteran license plates by expanding the category of eligibility.

Gold Star Family License Plate: The Gold Star Family License Plate became available in January 2010. The BMV created this plate on its own initiative based on requests for this type of license plate. PEN PRODUCTS, the manufacturing arm of prison-made products, reports that 57 Gold Star Family license plates have been ordered as of January 28, 2010. There is no fee in addition to the regular registration fee for the license plate.

This proposal adds grandparents and great grandparents of individuals who have died while serving on active duty in the armed forces of the United States or the National Guard. Under current practice, the BMV issues the Gold Star Family license plate only to parents, children, and siblings. It is unknown the number of grandparents or great grandparents who might purchase the license plate.

Refurbished License Plates: Requiring the BMV to authorize the display of a restored or refurbished authentic license plate will have no fiscal impact on the BMV

Background Information: Disabled Veteran License Plate: The Indiana Department of Veterans Affairs reports that as of May 26, 2009, there were 3,871 veterans who were considered 100% disabled by the VA and receiving service-related compensation and who would meet the new eligibility requirement.

In addition, there were another 3,329 who were receiving compensation at the 100% rate because they are considered by the VA to be unemployable, but were not considered 100% disabled, and thus would not meet the requirements for the bill.

For the last three full calendar years (2006, 2007, 2008), approximately 9,400 Disabled Veteran license plates have been issued annually. For the period January 2009 through November 16, 2009, about 9,037 Disabled Veteran license plates have been issued. There is no additional fee for the Disabled Veteran license plate. PEN PRODUCTS reports that they have switched to a digital process, which means they primarily produce plates on demand. This means they do not make a plate until they have an order from the BMV, which results in a minimal inventory. Current inventory of the Disabled Veteran license plate is zero plates.

Gold Star Family License Plate: The following table shows the number of Indiana residents lost in wars beginning with WW II.

War	Number Lost
WW II	8,131
Korean Conflict	887
Vietnam Conflict	1,531
Gulf War	0
Enduring Freedom/Iraq Freedom	159*
Total	10,708
* As of January 25, 2010	

Explanation of State Revenues: (Revised) *Improper Motorcycle Equipment:* There are no data available to indicate how many people may be found in violation of motorcycle equipment requirements, a Class C infraction, if a change is made from handlebars not rising more than 15 inches above the level of the driver's seat to not being higher than the shoulders of the seated driver.

If additional court cases occur and infraction judgments and court fees are collected, revenue to the state General Fund may increase. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund.

If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$7), judicial salaries fee (\$18), the public defense administration fee (\$3), the court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

(Revised) *Background:* Under the current statutory requirements, between CY 2004 and CY 2008, there were on average 28 people a year cited for improper motorcycle equipment, and, of those, 27 a year were found or plead guilty.

Explanation of Local Expenditures:

Explanation of Local Revenues: (Revised) If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected: BMV; DVA.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Mark Spratt, Controller PEN PRODUCTS, 317-388-8580 x 242; Adam Hasiak, Manager of Policy and Legislative Affairs, BMV, 317-233-3396; Tom Applegate, Director, Indiana Department of Veterans Affairs, 317-232-3910.

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