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## FISCAL IMPACT REPORT

SPONSOR Cravens DATE TYPED 3/2/05 HB \_\_\_\_\_

SHORT TITLE Standard DWI Arrest Reports SB 738/aSPAC

ANALYST Peery

### APPROPRIATION

| Appropriation Contained |      | Estimated Additional Impact |      | Recurring or Non-Rec | Fund Affected |
|-------------------------|------|-----------------------------|------|----------------------|---------------|
| FY05                    | FY06 | FY05                        | FY06 |                      |               |
|                         | NFI  |                             |      |                      |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Response Received From

Administrative Office of the Courts (AOC)

#### No Responses

Taxation and Revenue Department (TRD)

Department of Public Safety (DPS)

### SUMMARY

#### Synopsis of SPAC Amendment

The Senate Public Affairs Committee struck and added wording throughout the proposed legislation. The amendment clarifies the establishment of standard arrest reports and procedures for Driving While Intoxicated (DWI) by liquor or drugs. The amendment adds the Traffic Safety Bureau of the Department of Transportation along with the Motor Vehicle Division of the Tax and Revenue Department (TRD) to collaborate with The Department of Public Safety (DPS) to develop standard arrest reports and procedures. The amendment clarifies that the arrest reports and procedures are to be used by law enforcement officers when making arrest for violations of the provisions of Section 66-8-102 NMSA 1978 or similar municipal or county ordinances. Also, the amendment clarifies law enforcement officers making an arrest for DWI will use the standard arrest reports and procedures developed and approved by DPS in accordance with the provisions of Subsection A.

Synopsis of Original Bill

Senate Bill 738 requires the DPS, in collaboration with the Motor Vehicle Division of TRD, to develop a standard arrest report to be used by law enforcement when making a DWI arrest.

**PERFORMANCE IMPLICATIONS**

AOC states a standard arrest form will streamline court operations in some regards. AOC reports the proposed legislation may have an impact on the measures of the district courts in the following areas: cases disposed as a percent of cases filed, percent change in case filings by case type and clearance rate.

**FISCAL IMPLICATIONS**

There will be a fiscal impact in developing and distributing a new standard arrest report for DWI.

**ADMINISTRATIVE IMPLICATIONS**

DPS and the Motor Vehicle Division will have the administrative implication in developing and distributing a new standard arrest report for DWI.

RLP/yr