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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/08/13

SPONSOR Rue LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Protective & Undercover License Plates SB 294

ANALYST Wilson

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY12	FY13		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

General Services Department (GSD)

Taxation & Revenue Department (TRD)

### SUMMARY

#### Synopsis of Bill

Senate Bill 294 provides that state vehicles that are used for legitimate undercover law enforcement or other sensitive activities may be issued either undercover or protective license plates instead of plates that identify the vehicles as state vehicles.

SB 294 adds similar language allowing for the issuance of undercover or protective plates to Indian nations, tribes or pueblos, counties and municipalities.

In this bill a protective license plate means a regular passenger license plate issued to a state vehicle that is in the custody of a state agency, can be traced to that state agency and is being used for sensitive activities;

The standards for the issuance of a protective plate are to be determined by rules jointly promulgated by the Transportation Services Division (TSD) of the GSD and the Motor Vehicle Division (MVD) of the TRD.

The bill has an emergency clause.

## **FISCAL IMPLICATIONS**

There is no fiscal impact.

## **SIGNIFICANT ISSUES**

TRD states that these types of plates are needed but there is no provision in the current law allowing for issuance of the plates. The bill amends the statutes to allow GSD and TRD to provide these types of plates.

GSD provided the following:

This bill creates a new class of plate issuance for government vehicles called protective plates, but there is nothing about the plates that is different in appearance from a normal private, non-government plate.

It has been the policy for approximately 20 years to issue what were called street plates to agencies for vehicles for use in a situation which did not qualify for undercover plates which are strictly limited by statute to law enforcement, badge carrying, true undercover mission situations.

Nevertheless, street plates have been issued to an individual state employees who uses a vehicle on their job which put them in a potentially at risk situation. Their safety is enhanced by their vehicle NOT being conspicuously identified as a government vehicle. For example the Children, Youth & Families Department may conduct home visits in a location and situation where they are not welcome but which does not formally require being accompanied by an officer, and for which they do not want to delay until an officer is available.

GSD feels these plates are currently over issued, without consistent standards between authorized issuers, and without the issuer's having set standards or necessarily even being authorized to set and enforce such standards. This bill requires the two issuing agencies to agree upon implementing regulations.

## **ADMINISTRATIVE IMPLICATIONS**

The assignment and tracking of undercover plates has been the responsibility of the TRD and its Motor Vehicle and Tax Fraud Investigations Divisions. This bill moves that responsibility to the TSD of the GSD. Both agencies will handle the provisions in this bill as part of their on-going responsibilities

## **ALTERNATIVES**

TRD states that the emergency clause is problematic as the bill requires GSD and TRD to develop rules for issuance of protective license plates. The bill should be amended to provide a July 1, 2012 effective date.

DW/svb