

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: House Bill 1114 (First Edition)

SHORT TITLE: Living Will Indication on Drivers License.

SPONSOR(S): Representatives Gulley, Fisher, Burris-Floyd, and Whilden

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>
REVENUES	\$0	\$0	\$0	\$0	\$0
EXPENDITURES	\$81,706	\$10,460	\$10,460	\$10,460	\$10,460
POSITIONS (cumulative):	0	0	0	0	0
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Division of Motor Vehicles, Department of Transportation					
EFFECTIVE DATE: This bill becomes effective October 1, 2009.					

BILL SUMMARY:

This bill amends G.S. 20-7(n) to require that drivers licenses include a living will designation that identifies applicants that have a living will on file in the Secretary of State’s Advance Healthcare Directive Registry.

ASSUMPTIONS AND METHODOLOGY:

To implement the requirements of this bill, the license certification system will be modified to set a flag to inquire about the presence of a living will. The card issuance process will be modified to transfer the new flag to card production. DMV will add a new "Y", "N", or "N/A" indicator to drivers’ licenses to identify applicants with a living will.

Based on Division of Motor Vehicles (DMV) estimates, the total development cost to complete programming required to implement this bill is \$81,706 in the first year. This includes planning, development, and implementation costs for DMV and the Office of Information Technology Services (ITS). For cost estimating purposes, DMV is using an hourly rate of \$85. Total development costs are \$74,035, or 871 hours of an information technology professional's time. ITS charges total \$7,671.

Annual maintenance and operations costs following completion of the project are estimated at \$10,460, with \$6,375 for maintenance and \$4,085 for operations. Any programming requires maintenance, and DMV has allowed 5 hours a month at \$85 an hour to maintain this application, covering DMV and ITS costs. The estimated operations cost is based on five percent of the overall development cost.

SOURCES OF DATA: Division of Motor Vehicles

TECHNICAL CONSIDERATIONS:

1. The cost estimate and information included in the "Assumptions and Methodology" section are based on the individual's response when asked if a living will exists. DMV will not independently verify one's registration with the Secretary of State. If the bill sponsor intended that the existence of an individual's registry be verified, the bill may need to be amended to reflect that the Secretary of State may share information on the registry with DMV or to require the individual who responds that a registry does exist to provide their password. A revised cost estimate may be needed if the sponsor's intent is to verify the existence of a living will is filed with the registry. Additionally, legislation would be required for the Secretary of State to share the confidential information in the registry with DMV.

2. Because of programming requirements, DMV has proposed delaying the implementation until October 1, 2010.

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