



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

**Bill:** S.B. 106 of the 129th G.A.

**Date:** April 6, 2011

**Status:** As Introduced

**Sponsor:** Sen. Beagle

**Local Impact Statement Procedure Required:** No

**Contents:** Redaction of a minor's personal information from online crash reports

### State Fiscal Highlights

STATE FUND

FY 2012 – FUTURE YEARS

Funds of the Department of Public Safety\*

Revenues

- 0 -

Expenditures

One-time programming costs of up to \$100,000 or more; Annual payroll cost increase of up to \$100,000 or more to hire one or more staff to review crash reports

Note: The state fiscal year is July 1 through June 30. For example, FY 2010 is July 1, 2009 – June 30, 2010.

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- The Department of Public Safety will incur two types of costs: (1) one-time costs of up to \$100,000 or more to reprogram a database that receives electronically filed crash reports and (2) ongoing costs of up to \$100,000 or more to hire one or more staff to manually review certain crash reports.

### Local Fiscal Highlights

- Local law enforcement agencies that choose to post crash reports online will likely incur additional costs to redact the personal information of minors if these reports continue to be posted online. The magnitude of such costs would vary from agency to agency and would depend on the number of accidents involving minors. Local law enforcement agencies are not required to post such information online, and could minimize such costs by deciding to no longer post such information online.

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## Detailed Fiscal Analysis

The bill requires law enforcement agencies to redact the personal information of minors from a crash report prior to making it available on the Internet to the general public. Under current law, law enforcement agencies are permitted, but not required to, post crash reports online provided the social security numbers of every individual named in the report have been redacted. The bill will affect: (1) the Department of Public Safety which receives crash reports for any accident in which damages exceed \$400 and (2) local law enforcement agencies that post crash reports online.

### Department of Public Safety

The Department of Public Safety will incur two types of costs: (1) one-time costs of up to \$100,000 or more to reprogram a database that receives electronically filed crash reports and (2) ongoing costs of up to \$100,000 or more to hire one or more staff to manually review certain crash reports.

Under current law, every crash in which damages exceed \$400, or in which an injury or death occurs, is reported by to the Department of Public Safety, which then posts the reports online. There are more than 900 law enforcement agencies in Ohio that submit a total of up to 300,000 or more crash reports each year. Currently, more than 350 of those law enforcement agencies utilize the state-provided Crash Module of the Law Enforcement Officer's Toolkit to submit crash reports electronically. This toolkit is essentially a records management system developed by Public Safety's Office of Criminal Justice Services, and the Crash Module portion is available to all law enforcement agencies free of charge.

Under the bill, all crash reports submitted to the Department, including those submitted electronically, would have to be searched to see if any minors were involved in the crash. If so, the corresponding personal information would need to be redacted prior to being posted online. For hard copies received from the approximately 550 agencies that do not utilize the Crash Module, this would mean searching each document independently and redacting the necessary information.

According to Department staff, this added step would cause a delay in the amount of time it takes to get information posted online and would also require the hiring of at least one additional full-time equivalent staff person. For those documents received electronically from the remaining agencies that do utilize the Crash Module, the Department would need to rewrite the computer program software to identify people under the age of 18 so that any personal information could be redacted. As of this writing, Department staff was not in a position to offer any precise figure for the likely cost of developing and implementing the necessary fix.

## **Law Enforcement Agencies**

Law enforcement agencies that choose, subsequent to the bill's enactment, to post crash reports online will incur additional costs to redact the personal information of minors. However, the posting of these reports is not mandatory under current law, the law enforcement agency could stop posting the reports online. To the extent that a law enforcement agency continues to post crash reports online, the magnitude of the costs incurred would vary from agency to agency and would largely depend on the number of accidents involving minors.

Local law enforcement agencies have indicated that posting crash reports online has been beneficial in that it allows insurance companies, attorneys, and other parties who need the information to access it without having to ask for it, thus expediting the process and saving the law enforcement agency time. Some agencies have indicated that the costs and work involved to redact the personal information of minors will be so great that the agency will no longer be able to post the reports online. The Ohio State Highway Patrol does not post crash reports online and therefore will not be affected in the same manner that local law enforcement agencies may be.