



Nicole Galloway, CPA

Missouri State Auditor

Missouri State Highway Patrol's
Use of Highway Funds

Year Ended June 30, 2020

Report No. 2020-131

December 2020

auditor.mo.gov



Findings in the audit of Missouri State Highway Patrol's Use of Highway Funds

Background	Missouri state law requires the Missouri State Auditor to examine whether State Highways and Transportation Fund appropriations to the Missouri State Highway Patrol are used in accordance with the Missouri Constitution, which limits the use of these funds to activities related to administering and enforcing state motor vehicle laws or traffic regulations.
Methodology	Audit staff reviewed policies and procedures, financial records and other pertinent documents; interviewed agency personnel; and tested selected transactions. Auditors also reviewed highway patrol calculations of amounts spent for non-highway activities; and the amounts spent for highway-related activities from other funding sources.
Conclusions	The audit determined the Missouri State Highway Patrol complied with legal provisions related to the use of this funding for the 2020 fiscal year.

Because of the limited objective of this review, no overall rating is provided.

Missouri State Highway Patrol's Use of Highway Funds

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Missouri State Auditor

Honorable Michael L. Parson, Governor
and

Members of the General Assembly
and

Sandra K. Karsten, Director
Department of Public Safety
and

Colonel Eric T. Olson, Superintendent
Missouri State Highway Patrol
Jefferson City, Missouri

We have audited the Department of Public Safety, Missouri State Highway Patrol's Use of Highway Funds, as required by Section 226.200.3, RSMo. The scope of our audit included, but was not necessarily limited to, the year ended June 30, 2020. The objective of our audit was to determine whether the agency is in compliance with legal provisions related to the use of Highway Funds.

We conducted our audit in accordance with the standards applicable to performance audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform our audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides such a basis.

The Background, Methodology, and Conclusions present our comments concerning the overall compliance related to the Department of Public Safety, Missouri State Highway Patrol's Use of Highway Funds.

A handwritten signature in black ink that reads "Nicole R. Galloway".

Nicole R. Galloway, CPA
State Auditor

The following auditors participated in the preparation of this report:

Audit Director:	Robert E. Showers, CPA, CGAP
Audit Manager:	John Lieser, CPA
In-Charge Auditor:	Joyce Thomson

Missouri State Highway Patrol's Use of Highway Funds

Background, Methodology, and Conclusions

Background

The State Auditor is required to determine whether appropriations from the State Highways and Transportation Fund (State Highway Fund) to the Missouri State Highway Patrol (MSHP) are used for administering and enforcing state motor vehicle laws and traffic regulations pursuant to the constitution.

Limitations and requirements

Article IV, Section 30(b), Missouri Constitution, limits the MSHP's use of highway funds to activities related to administering and enforcing state motor vehicle laws or traffic regulations. In addition, Section 226.200.3, RSMo, provides, in part:

" . . . Appropriations allocated from the state highways and transportation department fund to the highway patrol shall only be used by the highway patrol to administer and enforce state motor vehicle laws or traffic regulations. Beginning July 1, 2007, any activities or functions conducted by the highway patrol not related to enforcing or administering state motor vehicle laws or traffic regulations shall not be funded by the state highways and transportation department fund, but shall be funded from general revenue or any other applicable source. Any current funding from the highways and transportation department fund used for activities not related to enforcing state motor vehicle laws or traffic regulations shall expire on June 30, 2007. The state auditor shall annually audit and examine the appropriations made to the highway patrol to determine whether such appropriations are actually being used for administering and enforcing state motor vehicle laws and traffic regulations pursuant to the constitution. The state auditor shall submit its annual findings to the general assembly by January fifteenth of each year."

During the year ended June 30, 2020, the MSHP used appropriations from the State Highway Fund as follows:



Missouri State Highway Patrol's Use of Highway Funds Background, Methodology, and Conclusions

		Appropriation	Lapsed	
		Authority	Expenditures ¹	Balances ²
Enforcement personal service	\$	77,743,601	55,235,841	22,507,760
Enforcement expense and equipment		6,486,658	5,930,813	555,845
Technical services personal service		16,468,316	14,158,573	2,309,743
Technical services expense and equipment		14,839,238	13,938,130	901,108
Vehicle and driver safety personal service		11,641,966	10,622,943	1,019,023
Vehicle and driver safety expense and equipment		1,110,790	743,327	367,463
Refund unused motor vehicle inspection stickers		100,000	37,165	62,835
Administration personal service		6,518,675	5,859,975	658,700
Administration expense and equipment		527,891	414,343	113,548
Crime laboratories personal service		4,187,749	3,775,118	412,631
Crime laboratories expense and equipment		1,584,749	1,474,526	110,223
Law Enforcement Academy personal service		1,382,451	1,166,006	216,445
Law Enforcement Academy expense and equipment		73,576	33,299	40,277
Fringe benefits personal service		88,896,633	66,677,148	22,219,485
Fringe benefits expense and equipment		7,176,186	6,780,532	395,654
Vehicle replacement expense and equipment		6,323,075	6,115,420	207,655
Gasoline expenses		4,837,264	3,166,851	1,670,413
Interoperable system highway		5,612,926	5,201,959	410,967
Interoperable ongoing highway		4,100,000	3,719,888	380,112
Total	\$	259,611,744	205,051,857	54,559,887

¹ Amounts exclude personal service expenditures totaling \$25,726,519 initially paid from MSHP appropriations from the State Highway Fund that were retroactively reclassified by the Office of Administration in November 2020 to Department of Public Safety appropriations from the State Emergency Management Federal Stimulus Fund for costs related to duties performed in response to the Coronavirus Disease 2019 (COVID-19) emergency.

² The lapsed balances include withholdings made at the Governor's request totaling \$4,263,390.

Methodology

Our methodology included reviewing written policies and procedures, financial records, and other pertinent documents; interviewing various personnel of the agency; and testing selected transactions. We obtained an understanding of internal control that is significant to the audit objective and assessed the design, implementation, and operating effectiveness of such internal control to the extent necessary to address our audit objective. We also obtained an understanding of legal provisions that are significant within the context of the audit objective, and we assessed the risk that illegal acts, including fraud, and violations of other legal provisions could occur. Based on that risk assessment, we designed and performed procedures to provide reasonable assurance of detecting instances of noncompliance significant to those provisions.



Missouri State Highway Patrol's Use of Highway Funds Background, Methodology, and Conclusions

To determine whether the MSHP complied with the limitations on the use of highway funds, we reviewed the MSHP calculations of amounts expended from the State Highway Fund for non-highway activities and the amounts expended by the MSHP for highway-related activities from other funding sources. We compared the amounts used in the MSHP calculations to expenditures recorded in the state accounting system (SAM II) and other supporting documentation. In addition, we tested certain expenditures to determine if the expenditures were properly recorded.

Conclusions

We concluded the MSHP is in compliance with legal provisions related to the use of Highway Funds. During fiscal year 2020, the MSHP spent approximately \$1,695,000 appropriated from the State Highway Fund for expenditures not related to highway activities. This amount included non-highway personal service expenditures made from the State Highway Fund from appropriations for administration, crime laboratories, and fringe benefits; and expense and equipment expenditures from appropriations for administration, gasoline, and fringe benefits. However, these expenditures were more than offset by personal service and/or expense and equipment expenditures totaling approximately \$4,221,000 from appropriations for crime laboratories, training academy, and technical services that were related to highway activities, but not paid from the State Highway Fund. As a result, approximately \$2,526,000 more was spent on highway-related activities than was paid from highway funds during fiscal year 2020.