

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3356-01  
Bill No.: SB 652  
Subject: Roads and Highways; Transportation Dept.; Motor Vehicles; Law Enforcement  
Officers and Agencies  
Type: Original  
Date: March 13, 2006

---

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Department of Public Safety** – Missouri State Highway Patrol, and **Office of Administration – Division of Budget and Planning** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Department of Transportation (MoDOT)** assume this legislation would provide the Missouri Highway and Transportation Commission (MHTC) with an alternative method to partially fund and build needed transportation facilities in the state. There would be no fiscal impact on MHTC/MoDOT from this legislation until MHTC decides to pursue the construction of a toll facility.

Officials from the **Office of the State Treasurer (STO)** assume that the fiscal impact will be negligible and can be absorbed. The state accounting system cannot handle accounting for separate accounts within a fund, consequently the STO does not distribute interest below the level proposed in this legislation.

Officials from the **Department of Revenue** assume this proposal allows a court to issue an order to void a registration and prohibit subsequent registrations until all toll fees and fines/penalties

ASSUMPTION (continued)

have been paid if a motor vehicle owner is convicted for failing to pay a toll fee. The Department is unable to determine the actual number of individuals who pay toll fees, and subsequently unable to determine of those individuals that are convicted for not paying how many the court would order the registration voided.

The department will require one (1) Revenue Licensing Technician II and supporting expense and equipment for every 85,000 records that will require "voiding." This FTE will void the record and issue a notice. The department will also incur costs for printing, envelopes and postage for each voided registration notice. Printing, envelopes and postage will cost \$.438 per voided registration. Once an individual has paid the required toll fee and fines/penalties they will be required obtain a new set of plates. The department incurs costs of \$3.04 per set of plates and tabs issued.

In addition, the department will require one (1) Telephone Information Operator for every 20,000 calls received regarding these types of voided registrations.

**Oversight** assumes that the Department of Revenue could absorb the costs this legislation. If the number of records received by the Department of Revenue requires the Department to hire an additional FTE, Oversight assumes the Department of Revenue could secure funds through the appropriations process.

Officials from the **Bi-State Development Agency** did not respond to a request for a fiscal assessment of this legislation.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

## DESCRIPTION

This proposal creates enabling legislation to construct toll roads provided a constitutional measure is passed by the Missouri voters.

**TOLL ROADS AUTHORIZATION** – This proposal authorizes the Transportation Commission to construct, maintain and operate toll facilities on the state highway system. The Commission is authorized to issue state toll facility revenue bonds to finance toll facility projects authorized by the General Assembly. Such bonds may be issued without the consent of the General Assembly. Bonds issued for toll facility projects shall not be deemed to constitute a debt or liability of the state and shall be payable solely from the state toll facility fund. Toll facility bonds shall be exempt from taxation. The Commission is required to obtain a study of the proposed toll facility project by one or more qualified independent consultants prior to commencing any project (Section 226.1200).

**TOLL FACILITY PROJECTS** – Prior to the commencement of any toll facility project, the Director of Transportation shall obtain a study of the proposed toll facility project by a qualified independent consultant. If the Director of Transportation determines, based upon the study, that the toll facility project is in the best interest of the state, the Director of Transportation shall then be required to obtain approval of the toll facility project by the General Assembly (Section 226.1200.3).

**SPECIFIC TOLL FACILITY PROJECTS** – Under the enabling legislation, the General Assembly authorizes toll facility projects to be constructed upon Interstate 70 between St. Louis and Kansas City. The commission is authorized to construct these toll facility projects with the design-build project delivery system (section 226.1205). The toll for traveling the entire length of Interstate 70 is capped at \$5 (indexed for inflation).

**STATE TOLL FACILITY FUND** – The act establishes within the state treasury the "State Toll Facility Fund" which shall stand appropriated without any legislative action (Section 226.205). All tolls, fees, state toll facility revenue bond proceeds, and other charges imposed for using toll facilities shall be credited to the fund. The fund shall be used to pay:

- (1) The costs of issuing state toll facility revenue bonds and refunding bonds, the costs of feasibility studies and the costs for constructing toll facilities;
- (2) The cost of collecting toll facility revenues;
- (3) The principal and interest on any outstanding state toll facility revenue bonds and refunding bonds.

L.R. No. 3356-01  
Bill No. SB 652  
Page 5 of 7  
March 13, 2006

MB:LR:OD (12/02)

DESCRIPTION (continued)

If revenues in the state toll facility fund are insufficient to pay for authorized costs, the commission shall transfer amounts from the state road fund to keep the toll facility fund solvent. Transfers from the state road fund shall be repaid in the time and manner determined by the commission. The commission is authorized to continue to collect tolls and fees on all toll facilities until all costs have been repaid. Any amount in the state toll facility fund in excess of what is needed to pay authorized costs shall be transferred to the state road fund.

COLLECTION AND ENFORCEMENT OF TOLLS – The commission may use any method for imposing and collecting tolls, including toll tickets, barrier toll facilities, billing accounts, commuter passes and electronic recording or identification devices (Section 226.1215). The act further outlines the enforcement mechanisms the Department of Transportation may utilize to ensure that motorists pay for using state toll roads. The Commission may enforce the payment of tolls by using automated enforcement technology, including automatic vehicle license plate identification photography and video surveillance. The use of such automated enforcement technology may be used only for the purpose of recording the image of the nonpaying motorist's license plate. Photo monitoring system evidence which shows that a motorist has failed to pay a toll shall raise a rebuttable presumption that the motor vehicle was used in violation of the law. A collection fee, not to exceed \$100, may be charged to recover the cost of collecting an unpaid toll (Section 226.1230). A motorist who fails to pay a toll shall be guilty of an infraction punishable by a fine not to exceed \$200 (Section 226.1230.6). The act allows a court to install a device on the nonpaying motor vehicle that prohibits its movement. The nonpaying motorist may also have his or her motor vehicle registration voided until the toll and all fines are paid. The act also outlines what procedures must be taken in order to collect tolls and issue traffic citations.

This act is contingent upon the passage of a constitutional amendment that authorizes the Department of Transportation to construct and operate toll facilities.

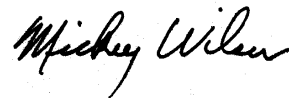
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety  
– Missouri State Highway Patrol  
Department of Revenue  
Department of Transportation  
Office of Administration  
– Division of Budget and Planning  
Office of the State Treasurer

NOT RESPONDING

Bi-State Development Agency



Mickey Wilson, CPA  
Director  
March 13, 2006