

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3982-01
Bill No.: SB 761
Subject: Motor Vehicles; Motor Carriers; Transportation Dept.; Transportation; Revenue Dept.
Type: Original
Date: January 20, 2006

FISCAL SUMMARY

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

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

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

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

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

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Department of Insurance, Department of Transportation, Missouri Highway Patrol** and **Office of State Courts Administrator** assume this proposal would have no fiscal impact on their agencies.

Officials with the **Department of Revenue (DOR)** estimates less than one hundred (100) motor carriers per year would be placed out of service. Accordingly, notification costs to cancel/suspend/ revoke the carriers plates will be absorbed.

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

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

FISCAL IMPACT - Small Business

Business opportunities for small motor carriers could increase if competition from non-compliant or unsafe motor carriers is reduced as a result of this proposal.

DESCRIPTION

This act allows the state Highway Commission to suspend, revoke or cancel the registration, license, permit or other credential issued to a motor carrier if a federal agency or the commission has issued an out-of-service order against the motor carrier. The law is applicable to out-of-service orders placing a motor carrier's entire operation out of service but does not apply to out-of-service orders placing an individual driver or vehicle out of service.

If the commission issues an order under this act, the motor carrier shall not operate any commercial motor vehicles and shall not allow any employees to operate any commercial motor vehicles in intrastate or interstate commerce. After the commission has issued an order, the motor carrier shall surrender all license plates, motor carrier licenses, registrations, permits, and other credentials. After the commission has issued an order, the out-of-state motor carrier shall not be eligible to apply for the issuance or reinstatement of any license, registration, permit, certificate or other credential until the out-of-service order has been rescinded or the orders have been set aside by a court of proper jurisdiction.

The act establishes provides that any federal or state order shall be admissible in administrative and court proceedings and that such orders shall constitute prima facie evidence that the motor carrier violated federal regulations or that the motor carrier's operation of commercial motor vehicles poses an imminent hazard.

The act allows persons aggrieved by a commission's order to appeal to a circuit court for a hearing and review of the order. Judicial review of the order will be waived unless the petition is filed within 30 days of the issuance of the order.

Under this act, the commission may receive and disclose any data relating to any out-of-service motor carrier to the Federal Motor Carrier Administration, the Department of Revenue, the highway patrol, other law enforcement agencies, and motor carrier liability insurance companies.

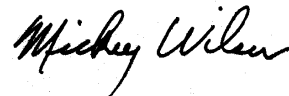
The Department of Revenue may immediately, without a hearing, update the records to reflect the suspension, revocation or cancellation of all motor vehicle license plates, registrations, and other credentials. The Department of Revenue shall notify the motor carrier, and the commission, of all actions taken pursuant to the commission's order.

DESCRIPTION (continued)

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 Revenue
Department of Insurance
Department of Public Safety
 Missouri State Highway Patrol
Department of Transportation
Office of State Courts Administrator



Mickey Wilson, CPA
Director
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