

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1721-04
Bill No.: SCS for SB 484
Subject: Motor Vehicles; Roads and Highways; Transportation; Motor Carriers; Law Enforcement Officers and Agencies; Highway Patrol; Revenue Department
Type: Original
Date: April 6, 2007

Bill Summary: This proposal revises procedures for conducting commercial motor vehicle roadside inspections and requires certain vehicle owners to verify registration with motor carrier services in order to obtain or renew license plates.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Highway Fund*	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

* Offsetting potential income and expense

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Director's Office** and **State Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

In response to a previous version of this proposal, officials from the **Department of Transportation (MoDOT)** stated the proposal would require the owner of a commercial motor vehicle (CMV) with a licensed gross weight over 50,000 pounds must submit, prior to obtaining or renewing the plates for the CMV, proof that the vehicle is registered with the motor carrier services division of MoDOT. If the owner is not required by law to so register, they must attest under penalty of perjury to that fact. This should not impact MoDOT.

Officials from the **Department of Revenue (DOR)** state the proposal requires their agency to witness proof that individuals who purchase or renew a registration on a vehicle licensed in excess of 50,000 lbs is registered with the Motor Carrier Division of the Department of Transportation. If they are exempt, they must attest to the exemption under penalty of perjury on the application.

The proposal would have the following administrative impact to DOR; DOR will need to:

- revise procedures and forms,
- the Imagitas renewal notice will need to be modified for vehicles licensed for 54,000 lbs and above. These costs will be absorbed.
- revise MORE as 54,000 lb. vehicles will no longer be able to register online due to this new requirement (currently, vehicles above 54,000 lbs cannot register online);
- revise TRIPS and the renewal print program to require proof of registration with MoDot or to self-certify they are exempt for vehicles 54,000 lbs above.

Officials from the **Office of the Secretary of State (SOS)** note that many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$2,500. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

ASSUMPTION (continued)

In response to a previous version of this proposal, officials from the **Boone County Sheriff's Office** assumed their agency may incur additional costs from the initial certification and recertification by the MHP.

Oversight assumes local police departments and sheriff's offices may decide to become certified by the Highway Patrol in order to have the authority to conduct random roadside examinations or inspections. Oversight assumes the local police departments and sheriff's offices may incur additional expense in getting this certification. Therefore, Oversight will range the expense to local political subdivisions from \$0 to (Unknown). Oversight also assumes the MHP would collect fees for these certifications enough to cover their expenses. Oversight will assume a zero net effect to the state's Highway Fund.

Officials from the **Buchanan County Sheriff's Office, Columbia Police Department** and the **St. Joseph Police Department** did not respond to our request for fiscal impact.

This proposal may increase Total State Revenues.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
HIGHWAY FUND			
<u>Revenue</u> - fee from police departments and sheriff's offices to become certified to conduct random roadside examinations or inspections of commercial vehicles.	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Costs</u> - to MHP of certification	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>
ESTIMATED NET EFFECT TO THE HIGHWAY FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
LOCAL POLITICAL SUBDIVISIONS			

<u>Costs</u> - to police departments and sheriff's offices to become certified by the MHP to conduct random roadside examinations or inspections of commercial vehicles.	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
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ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
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FISCAL IMPACT - Small Business

This proposal may require additional paperwork for small transport businesses.

FISCAL DESCRIPTION

This proposal requires the State Highway Patrol to establish a program to certify local law enforcement officers with respect to enforcing commercial motor vehicle laws. The certification procedures established by the highway patrol shall include training, testing, on-the-job experience, data collection and other prescribed components. The certification procedures shall meet the requirements established by the Commercial Vehicle Safety Alliance (CVSA). The Highway Patrol is authorized to establish reasonable fees to cover the costs of training and certification.

Beginning January 1, 2008, no law enforcement officer may make an arrest, issue a citation or conduct a commercial motor vehicle roadside inspection to determine compliance with the applicable commercial motor vehicle laws unless the law enforcement officer has satisfactorily completed a basic training course developed by CVSA and has been certified by the Highway Patrol.

Beginning January 1, 2008, only law enforcement officers that have been certified by the Missouri State Highway Patrol under the act, members of the Missouri State Highway Patrol, regularly employed maintenance men of the Department of Transportation, or commercial vehicle enforcement officers shall have the authority to conduct random roadside examinations or inspections to determine compliance with the commercial motor vehicle weight and size limit

FISCAL DESCRIPTION (continued)

laws (Sections 304.170 to 304.230), and only such officers shall have the authority, with or

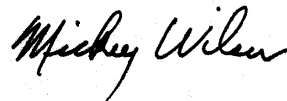
without probable cause to believe that the size or weight is in excess of that permitted by the law, to require the driver, operator, owner, lessee, or bailee, to stop, drive, or otherwise move to a location to determine compliance with the law. A law enforcement officer not certified under the act, however, may stop a vehicle that has a visible external safety defect that could cause immediate harm to the traveling public. In the course of a stop, the law enforcement officer shall identify to the driver the defect that caused the stop.

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 Public Safety
Department of Transportation
Office of the Secretary of State
Boone County Sheriff's Department

NOT RESPONDING: Buchanan County Sheriff; Columbia Police Department; St. Joseph Police Department



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Director
April 6, 2007