

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1778-01
Bill No.: SB 521
Subject: Motor Vehicles; Transportation; Licenses - Motor Vehicle; Agriculture and Animals
Type: Original
Date: February 27, 2007

Bill Summary: Removes weight limitations on certain farm use vehicles so that any commercial motor vehicle operated in intrastate commerce bearing a class F plate will be exempt from specified commercial motor vehicle laws.

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
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses. This fiscal note contains 5 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	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Office of the Director, Department of Agriculture, Office of State Public Defender, and the Department of Revenue** state this proposal will have no fiscal impact on their respective agencies.

Officials from the **Office of State Courts Administrator** state this proposal has no fiscal impact on the Courts.

Officials from the **Office of Prosecution Services (OPS)** assume this proposal would not have a significant direct fiscal impact on county prosecutors or OPS.

Officials from the **Office of Secretary of State (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact to the SOS office for Administrative Rules is less than \$2,500. The SOS recognizes this is a small amount and does not expect additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed in a given year and that collectively the costs may be in excess of what the SOS can sustain with their core budget. Any additional required funding would be handled through the budget process.

Officials from the **Department of Transportation (MoDOT)** state that 49 C.F.R. section 350.335(a) provides that "A State that currently has compatible CMV safety laws and regulations pertaining to interstate commerce (i.e. rules identical to the FMCSRs and HMRs) and intrastate commerce (i.e. rules identical to or within tolerance guidelines for the FMCSRs and identical to the HMRs) but enacts a law or regulation which results in an incompatible rule will not be eligible for Basic Program Funds nor Incentive Funds. The total amount of these MCSAP funds that are in jeopardy is \$4,065,862; this includes Basic Program Fund in the amount of \$3,911,609 and Incentive funds in the amount of \$154,253. This amount of withholding includes funds that MoDOT, the patrol and the cities of St. Louis and Kansas City receive.

Officials from the **Department of Public Safety - Missouri State Highway Patrol** state that Chapter 307.400 RSMo adopts the Federal Motor Carrier Safety Regulations (FMCSR's) for drivers and equipment of commercial motor vehicles. Certain exemptions are granted for carriers operating solely in intrastate commerce, provided that they are not transporting hazardous materials as defined in Title 49, Code of Federal Regulations.

ASSUMPTION (continued)

Current exemptions are granted for solid waste transporters licensed for 60,000 pounds or less, farm vehicles licensed for 42,000 pounds or less when the license plate has been designated for farm use by the letter "F" as authorized by the revised statutes of Missouri, and commercial motor vehicles with a gross vehicle weight rating (GVWR) of 26,000 pounds or less. The proposed legislation would remove the current 42,000 pounds or less limitation and include all farm vehicles.

The Commercial Vehicle Enforcement Division (CVED) is charged with enforcing the rules and regulations adopted by Chapter 307.400 RSMo. The CVED receives federal funds via the Motor Carrier Safety Assistance Program (MCSAP) to help finance these enforcement efforts. This exception, if passed, could jeopardize the funds currently received via the MCSAP grant, resulting in a reduction and/or elimination of monies obtained from the grant program.

Monies from this grant are used by, but not limited to, the Commercial Vehicle Enforcement Division, Field Operations Bureau and Traffic Division. The estimated loss of funding would be \$1,678,877.50 (including local share 20% i.e. soft match) broken down as follows:

Commercial Vehicle Enforcement	\$1,174,187.50
Field Operations Bureau	\$ 371,815.00
Traffic Division	\$ 132,875.00

Oversight assumes that any potential loss of federal funding is speculative and therefore assumes no fiscal impact on federal funding.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

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

FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

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 Transportation
Department of Revenue
Department of Agriculture
Department of Public Safety
 Office of the Director
 Missouri State Highway Patrol
Office of Secretary of State
 Administrative Rules Division
Office of State Courts Administrator
Office of State Public Defender
Office of Prosecution Services



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