

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0559-03
Bill No.: HCS for HB 1049
Subject: Roads and Highways; Transportation; Transportation Department
Type: Original
Date: April 23, 2009

Bill Summary: This proposal amends laws relating to transportation issues.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	(Unknown less than \$100,000) to \$150,000	(Unknown less than \$100,000)	(Unknown less than \$100,000)
Total Estimated Net Effect on General Revenue Fund	(Unknown less than \$100,000) to \$150,000	(Unknown less than \$100,000)	(Unknown less than \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Highway Road Fund	\$0	(\$263,074)	(\$526,148)
State Road Fund	(\$158,000)	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	(\$158,000)	(\$263,074)	(\$526,148)

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 22 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
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 2010	FY 2011	FY 2012
Local Government	\$4,798	\$5,750	\$5,750

FISCAL ANALYSIS

ASSUMPTION

Sections 21.795 and 226.030 Transportation Inspector General

Officials at the **Missouri House of Representatives, Missouri Senate** and the **Missouri Department of Transportation** assume that there is no fiscal impact from this proposal.

Section 226.222 MoDOT planning process

Officials at the **Missouri Department of Transportation (MoDOT)** assume MoDOT's normal planning process includes analysis of all transportation users' needs on every project. During each project's development, MoDOT staff works to identify all needs, not just those of motorized traffic, to ensure projects are comprehensive in addressing appropriate facilities. This is done through a collaborative process involving locally elected officials, communities, users, advocacy groups, public meetings and all others potentially impacted. Therefore there is no impact from this proposal.

Section 227.295 Drunk Driving Risk Reduction Awareness Program

Officials at the **Missouri Department of Transportation** assumes no fiscal impact. The total cost of one sign for a ten year period will be \$1,030. Based on statistics from the safety division, Missouri averages about 270 alcohol related fatalities per year. If signs are made in each instance, this would result in a total cost of \$278,100 per year. As stated in the bill, the cost will be paid by private donations for each 10 year term the signs are displayed.

Section 227.297 Heroes Way Interstate Interchange Program

Officials at the **Department of Public Safety's Director's Office, Department of Public Safety's Adjutant General Office** and the **Missouri Veterans Commission** assume that there is no fiscal impact from this proposal.

Officials at the **Missouri Department of Transportation (MoDOT)** assumes no fiscal impact from this legislation. This bill would require MoDOT to fabricate, install and maintain memorial highway signs for interchanges named after fallen members of the armed forces. The cost of each sign is \$1,900. The cost of signing an interchange, one sign in each direction, would be \$3,800. As stated in the bill, these costs are to be paid for by the applicant as reimbursement to MoDOT.

Section 227.310, 227.311, 227.313, 227.368, 227.402, 227.407, 227.409 and 227.410 Memorial Highway and Bridge Signs

Officials at the **Missouri Department of Transportation (MoDOT)** assume no fiscal impact

ASSUMPTION (continued)

from the legislation because the legislation states that the signs will be paid for by private donations. This bill will require MoDOT to fabricate, install and maintain memorial highway signs. The department will not fabricate the signs until payment is received.

Section 301.130 Window Stickers and Tabs

Officials at the **Department of Revenue (DOR)** assume DOR will need to:

Revise the renewal print program to inform applicants about the rear tab and window sticker provisions and revise appropriate procedures. There are no added costs for these revisions.

Order window stickers for all vehicles except trailers and cycles and inventory them to offices. We anticipate paying \$.26 for each window sticker. Notify all dealers (motor vehicle, salvage, and leasing) – requesting funding in the amount of \$4,254 in FY 11.

Tab savings from ordering one tab:

Currently, DOR pays \$.26 for each set of tabs and \$.13 for each single tab. The amount of year tabs currently ordered is 6,813,600. By going to one tab this would decrease by half to 3,406,800 individual tabs resulting in a cost savings to the Highway Fund of \$221,442 (6 months for January 1, 2011 effective date) in FY 11, \$442,884 in FY 12, and \$442,884 in FY 13. Note: MVE indicated that the cost of tabs is inductive to the cost of raw materials, thus if the cost of raw materials goes up then the cost of tabs will increase.

Sticker Costs:

Under this proposal, all vehicles except cycles and trailers (which would still receive a tab but no sticker) would be issued a window sticker as well as one tab. Assuming a window sticker cost of \$.26 each and assuming 3,406,800 widow stickers would be ordered the cost to the highway fund would be \$442,884 (6 months for January 1, 2011 effective date) in FY 11, \$885,768 in FY 12, and \$885,768 in FY 13.

Total affect on Highway Fund:

	FY 2011 (6 months)	FY 2012	FY 2013
Savings from one tab at \$.13	\$221,442	\$442,884	\$442,884
Cost from window sticker at \$.26	(\$442,884)	(\$885,768)	(\$885,768)
Total difference	(\$221,442)	(\$442,884)	(\$442,884)

ASSUMPTION (continued)

A new window sticker would need to be issued with each license plate transfer resulting in 320,247 additional stickers at a yearly cost of \$83,264.

FY'11 at 6 months: \$41,632 (transfer stickers)
FY'12 for 12 months: \$83,264 (transfer stickers)
FY 13 for 12 months: \$83,264 (transfer stickers)

Existing printers and printer cartridges would be used so no equipment cost is being shown. Contract offices would print the decals displaying the license plate number in their offices. In many cases these cartridges are refurbished and probably will not suffice for the vender sticker guarantee for two years. It is anticipated the brand new cartridges will be in excess of \$100,000.

IT will need to revise TRIPS to issue/accommodate a window sticker on demand that contains the license plate number and whatever other vehicle information is decided. Appropriate changes will need to be made to the inventory system. These systems will still need to accommodate one rear tab.

Section 301.140 Dealer shown proof of financial responsibility

Officials from the **Department of Insurance, Financial Institutions and Professional Registration** assume this proposal will have no fiscal impact on their agency.

Officials from the **Department of Revenue (DOR)** assume DOR will need to:

Revise policy and procedures, update the DOR website, and revise the Special Permits Application to reflect the change;
Notify 8,920 dealers of the change at a cost to the Motor Vehicle Commission Fund of \$4,130 (paper/envelopes/postage).

Oversight assumes that, due to carryover of funds from year to year, there are sufficient funds in the Motor Vehicle Commission Fund to cover the notification costs of this proposal.

Section 301.143 Accessible Parking

Officials from the following agencies assumed no fiscal impact resulting from this proposed legislation: **Department of Revenue, Missouri Department of Transportation, Department of Conservation, Department of Public Safety - Office the of Director and the Office of Administration - Division of Facilities Management, Design and Construction.**

Officials from the following local political subdivisions also assumed no fiscal impact resulting from this proposed legislation: **City of Kansas City; City of West Plains; St Louis County;**

ASSUMPTION (continued)

Cass County Commission; Springfield Police Department and Boone County Sheriff's Department.

Section 301.165, 301.3155, 301.4005, 301.4006, 301.4010 and 301.4016 Special License Plates
Officials from the **Department of Corrections - Missouri Vocational Enterprises** state this proposal will have no fiscal impact on their agency.

Officials from the **Department of Revenue (DOR)** state that the number of eligible applicants for each specialized license plate is unknown. DOR will need to revise procedures, update the TRIPS plate table, and request funding in the amount of \$1,500 for every 100 specialty applications received for application, plate set-up, postage, envelope, notification, and plate costs.

301.3155 - Armed Forces Expeditionary Medal; 301.4005 - Bicycle Federation; 301.4010 - National Wild Turkey Federation and 301.4016 - Missouri Stream Team; 301.3158 Legion of Merit and 301.4018 Missouri State D.A.R.E Training Center will see increased revenue as follows:

For each 100 specialty plate applications received, there will be an increase in revenue each year of \$1,500 from the \$15 specialty plate fee that would be distributed 75% to highway fund, 15% to cities, and 10% to counties.

	FY 10	FY 11	FY 12
Highway fund-75%	\$938	\$1,125	\$1,125
Cities- 15%	\$188	\$ 225	\$ 225
Counties -10%	\$125	\$ 150	\$ 150

301.4006 - Nixa Education Foundation

For each 100 specialty plate applications received, there will be an increase in revenue each year of \$1,500 from the \$15 specialty plate fee that would be distributed 75% to highway fund, 15% to cities, and 10% to counties.

Officials from the **Nixa Public School District** responded but did not indicate any fiscal impact.

Oversight assumes contributions received by the Nixa Education Foundation would in turn be used for Nixa Public School District purposes. **Oversight** assumes this would be an indirect result of this proposed legislation and will show no fiscal impact.

ASSUMPTION (continued)

301.165 - Brain Tumor Awareness

For each 100 specialty plate applications received, there will be an increase in revenue each year of \$2,500 from the \$25 specialty plate fee that would be distributed 75% to highway fund, 15% to cities, and 10% to counties.

	FY 10	FY 11	FY 12
Highway fund-75%	\$1,563	\$1,875	\$1,875
Cities- 15%	\$ 313	\$ 375	\$ 375
Counties -10%	\$ 208	\$ 250	\$ 250

Oversight assumes that since the legislation requires DOR to issue speciality license plates only when 200 applications for the plate is received that the savings and costs reported by DOR, for 100 plates, needs to be doubled. Oversight has shown the costs and savings for 200 plates in this fiscal note.

Oversight assumes that the costs for the issuance of the speciality plates is equal to the fee collected for the plates. Oversight has shown the costs and fees netting to zero.

Section 301.190 Motor Vehicle Ownership

Officials from the **Department of Insurance, Financial Institutions and Professional Registration** state this proposal will have no fiscal impact on their agency.

Officials from the **Department of Revenue (DOR)** state this proposal will have a minimal fiscal impact on their agency. This proposal would require changes to policies, procedures, and the DOR website. An e-mail would also need to be sent to all lien holders who file their Notice of Liens via the internet notifying them of the change. These costs would be absorbed. DOR states that potentially there could be an unknown increase in costs due to an increase in rejected title application transactions for authorization from the lien holder to add/delete a name at the time application for title is made.

Oversight assumes these costs would also be minimal and could be absorbed.

Sections 301.131, 301.150, 301.310, 301.420, 301.440, 301.716, 307.010, 307.015, 307.090, 307.120, 307.125, 307.155, 307.172, 307.173, 307.195, 307.198, 307.365, 307.375, 307.390, 307.400, 488.006 and 556.021 Violations of motor vehicle licensing, registration and equipment. Officials at the **Department of Revenue** assume that there is no fiscal impact from this proposal.

Officials at the **Office of the State Public Defender** assume this will provide very minimal relief

ASSUMPTION (continued)

for the SPD. In Fiscal Year 2008, SPD provided representation in just 54 cases (from a total of 85,405) which will be reduced to infractions if this legislation passes.

Officials at the **Office of Prosecution Services** assume no impact on Office of Prosecution Services. The potential fiscal impact on county prosecuting attorneys will necessarily depend on the extent to which law enforcement agencies choose to enforce this provision and or are able to enforce this provision.

Officials at the **Department of Elementary and Secondary Education (DESE)** assume there is no state cost to the foundation formula associated with this proposal. Should the new crimes and amendments to current law result in additional fines or penalties, DESE cannot know how much additional money might be collected by local governments or the DOR to distribute to schools. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to schools increases the deduction in the foundation formula the following year. Therefore the affected districts will see an equal decrease in the amount of funding received through the formula the following year; unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula.

Officials from the **Department of Corrections (DOC)** stated that they could not predict the number of new commitments which could result from the creation of the offense(s) outlined in the proposal. An increase in commitments would depend on the utilization of prosecutors and the actual sentences imposed by the courts. If additional persons were sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs either through incarceration (FY 2008 average \$15.64 per inmate, per day or an annual cost of \$5,709) or through supervision provided by the Board of Probation and Parole (FY 2008 average \$2.47 per offender, per day or an annual cost of \$902).

The following factors contribute to DOC's minimal assumption:

- DOC assumes the narrow scope of the crime will not encompass a large number of offenders.
- The low felony status of the crime enhances the possibility of plea-bargaining or imposition of a probation sentence.
- The probability exists that offenders would be charged with a similar but more serious offense or that sentences may run concurrent to one another.

ASSUMPTION (continued)

In summary, supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

Section 301.571 Mobility Motor Vehicle Dealer

Officials from the **Department of Social Services** and the **Department of Health and Senior Services** state this proposal will have no fiscal impact on their respective agencies.

Officials from the **Department of Revenue (DOR)** state they would need to make changes to dealer new/renewal instructions and also make changes to the dealer application and procedures. Costs are minimal and would be absorbed.

DOR assumes that the intent is not for a new type of dealer license (mobility motor vehicle) to be created, but that an existing new/ used licensed dealer, or other entity, can purchase a new vehicle and make the mobility modifications and have it sold by or through a franchise dealer without obtaining a "mobility motor vehicle" dealer license from DOR, therefore modifications to the IMVDL dealer system would not be necessary.

Section 304.170 and 304.260 Tractor Parades

Officials at the **Missouri Department of Transportation** assume that there is no fiscal impact from this proposal.

Sections 226.030, 302.700 and 302.735 Hazardous Materials

Officials at the **Department of Natural Resources** assume that there is no fiscal impact from this proposal.

Officials at the **Missouri Department of Transportation (MoDOT)** assume some of the changes contained in this legislation were required in an audit of the Department of Revenue's (DOR's) commercial driver's license (CDL) program conducted by the Federal Motor Carrier Safety Administration. MoDOT assumes no impact to their department.

Officials at the **Department of Revenue** assume the modifications to the definitions of "hazardous materials" requires the department to review and update any state regulations referring to the definition of hazardous materials.

Officials at the **Department of Revenue** assumes that the proposed changes in this bill would bring Missouri compliant with the Federal Motor Carrier Safety regulations and reduce the risk

ASSUMPTION (continued)

of having federal funding withheld for noncompliance.

Oversight assumes that the Department of Revenue can absorb with existing resources the cost to update the state regulations.

Section 302.182 Disabled Driver License

Officials from the **Department of Revenue (DOR)** states this proposed legislation will require programming changes to the Missouri Electronic Driver License (MEDL), also referred to as Over The Counter (OTC), software and supporting applications. These programming changes will need to be designed and tested. 80 estimated hours for project completion (requirements and system testing) X \$100. Hourly rate for an OTC contractor = \$8,000.

Section 304.870 Trailer

Officials at the **Department of Revenue** assume that there is no fiscal impact from this proposal.

Section 307.128 Headlamp

Officials from the **Department of Revenue** state this proposed legislation will have no fiscal impact on their agency.

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

Section 407.584 Warranty

Officials from the **Department of Revenue and Department of Insurance, Financial Institutions and Professional Registration** state this proposed legislation will have no fiscal impact on their respective agencies.

Section 476.385 Driver Improvement Programs

Officials from the **Missouri Department of Transportation, Department of Revenue and the Department of Public Safety – Director’s Office** assume the proposal would have no fiscal impact on their agencies.

Section 565.081, 565.082 and 565.083

Officials at the **Missouri Department of Transportation and the Boone County Sheriff Department** assume that there is no fiscal impact from this proposal.

Officials at the **Office of Prosecution Services** assume no impact on Office of Prosecution

ASSUMPTION (continued)

Services. The potential fiscal impact on county prosecuting attorneys will necessarily depend on the extent to which law enforcement agencies choose to enforce this provision and or are able to enforce this provision.

For the purpose of this proposed legislation, officials at the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide competent, effective representation for any new cases arising where indigent persons are charged with the proposed new crime of assaulting a highway worker in a construction zone.

Passage of bills increasing penalties on existing crimes, or creating new crimes, requires the State Public Defender System to further extend resources. While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide competent and effective representation in all its cases.

Oversight assumes the SPD can absorb the additional caseload that may result from this proposal.

Officials at the **Department of Corrections (DOC)** assume these sections add the crime of assault of highway workers and the crime of assault of probation and parole officers to existing statutes. Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in direct offender cost either through incarceration (FY08 average of \$15.64 per offender, per day or an annual cost of \$5,709 per inmate) or through supervision provided by the Board of Probation and Parole (FY08 average of \$2.47 per offender, per day or an annual cost of \$902 per offender).

In summary, supervision by the DOC through probation or incarceration would result in additional unknown costs to the department. Eighteen (18) persons would have to be incarcerated per each fiscal year to exceed \$100,000 annually. Due to the narrow scope of this new crime, it is assumed the impact would be less than \$100,000 per year for the DOC.

Sections 1-5 Land Conveyance

Officials at the **Missouri Department of Transportation (MoDOT)** anticipate purchasing the property for \$158,500.

JH:LR:OD

ASSUMPTION (continued)

In response to the previous version of this bill, officials at the **Office of Administration** assume a transfer of \$158,500 in FY 2010 from MoDOT for the land conveyance.

Officials at the **Department of Corrections** defer to the Office of Administration for impact.

In response to the previous version of this bill, officials at the **Office of the Governor** assume that there is no fiscal impact from this proposal.

Officials at the **St. Louis County** assume that there is no fiscal impact from this proposal.

Bill as a Whole

Officials from the **Office of the Secretary of State (SOS)** state 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 for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes 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 the office can sustain with the core budget. Therefore, the SOS reserves 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.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Officials from the **Office of Attorney General** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials at the **Department of Agriculture, Office of the State Courts Administrator, Missouri Highway Patrol** and the **Missouri Veterans Commission** assume that there is no fiscal impact from this proposal.

Officials at the **Office of Administration Information Technology (ITSD DOR)** estimates that this legislation could be implemented utilizing 2 existing CIT III's for 3 month at a rate of \$4,441, valued at \$39,969. ITSD DOR estimates the IT portion of this request can be

ASSUMPTION (continued)

accomplished within existing resources; however; if priorities shift, additional FTE/overtime would be needed to implement.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
GENERAL REVENUE			
<u>Cost</u> - Dept. of Revenue computer programing section 302.182	(\$8,000)	\$0	\$0
<u>Cost</u> - Dept. of Corrections highway worker crimes	(Unknown less than \$100,000)	(Unknown less than \$100,000)	(Unknown less than \$100,000)
<u>Transfer In</u> - Office of Administration land conveyance	<u>\$158,000</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Unknown less than \$100,000) to \$150,000</u>	<u>(Unknown less than \$100,000)</u>	<u>(Unknown less than \$100,000)</u>
HIGHWAY ROAD FUND			
<u>Revenue</u> - Dept. of Revenue speciality plate fees	\$16,256	\$19,500	\$19,500
<u>Cost</u> - Dept. of Revenue speciality plate costs	(\$16,256)	(\$19,500)	(\$19,500)
<u>Savings</u> - Dept. of Revenue one tab	\$0	\$221,442	\$442,884
<u>Cost</u> - Dept. of Revenue window stickers	<u>\$0</u>	<u>(\$484,516)</u>	<u>(\$969,032)</u>
ESTIMATED NET EFFECT ON HIGHWAY ROAD FUND	<u>\$0</u>	<u>(\$263,074)</u>	<u>(\$526,148)</u>

STATE ROAD FUND

<u>Transfer Out - Dept. of Transportation</u> land conveyance	<u>(\$158,000)</u>	<u>\$0</u>	<u>\$0</u>
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ESTIMATED NET EFFECT ON STATE ROAD FUND	<u>(\$158,000)</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
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POLITICAL SUBDIVISIONS

<u>Revenue - Counties</u> Specialty plate fees	\$1,916	\$2,300	\$2,300
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<u>Revenue - Cities</u> Specialty plate fees	<u>\$2,882</u>	<u>\$3,450</u>	<u>\$3,450</u>
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ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS	<u>\$4,798</u>	<u>\$5,750</u>	<u>\$5,750</u>
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FISCAL IMPACT - Small Business

There may be an impact to dealers who sell mobility motor vehicles.

FISCAL DESCRIPTION

Sections 21.795 and 226.030 This eliminates the position of Transportation Inspector General for the Joint Committee on Transportation Oversight.

Currently, the two members of the Highways and Transportation Commission, one from each political party, who have the most seniority in commission service serve as commission leadership with one as chair and the other as vice chair for a period of one year. At the end of the year, the chair and vice chair rotate. If one of the commission leadership offices becomes vacant, the commission elects one of its members from the same political party as the vacating officer to serve the remainder of the term. This specifies that beginning March 1, 2010, the commission will annually elect the two members for chair and vice chair.

FISCAL DESCRIPTION (continued)

Section 226.222 This bill requires the Department of Transportation's plans, programs, and projects to provide full consideration for the safety and contiguous routes for bicyclists, pedestrians, disabled persons, and transit users of all ages and abilities. Bicycle and pedestrian ways must be given full consideration in the planning and development of transportation facilities by the department, including their incorporation into state plans and programs.

Section 227.295 This bill would allow MoDOT to establish and administer a drunk driving risk reduction awareness program. This shall be known as "David's Law." The signs shall be placed at or near the scene of the accident. Signs shall be attached to an existing highway sign, street light, or guard rail. The signs shall be placed upon the state highways in accordance with placement guidelines adopted by the department, and any applicable federal limitations or conditions on highway signage, including location and spacing.

Section 227.297 This bill establishes an interstate interchange designation program, to be known as the "Heroes Way Interstate Interchange Designation Program", to honor members of the U.S. armed forces who have been killed in action in Afghanistan or Iraq on or after September 11, 2001.

Section 227.310, 227.311, 227.313, 227.368, 227.402, 227.406, 227.407 and 227.410
This bill designates the following specific highway and bridges within Missouri.

This bill designates the portion of State Highway 100 located in Franklin County from its intersection with State Highway 47 to the highway's connection with Interstate 44 as the "Veterans Memorial Highway."

This bill designates the portion of the Poplar Bluff bypass located in Butler County from State Highway 60 to State Highway 67 as the "Veterans Memorial Highway."

This bill designates Highway 266 from North Missouri Road AB to one mile east in Greene County as the "Dr. Martin Luther King, Jr. Memorial Mile."

This bill designates the bridge over Interstate 44 on Business Loop 44 at Exit 127 in Laclede County as the "James M. Finley Memorial Bridge."

This bill designates the bridge over the Gasconade River on State Highway 17 in Pulaski County as the "WWII Okinawa Veterans Memorial Bridge" and

This bill designates Interstate 435 from mile marker 63.4 to mile marker 54.2 as the "Lamar Hunt

FISCAL DESCRIPTION (continued)

Memorial Highway."

This bill designates a portion of Highway I-64/US 40 from the McClausland/Skinker interchange east to the I-64/I-55 interchange as the "Jack Buck Memorial Highway.'

This bill designates a portion of Hwy 160 in Greene County as the "Rabbi Abraham Joshua Heschel Memorial Highway."

Section 301.130 This bill requires the Director of Revenue to issue a rear license plate tab and a window sticker to renew or issue a registration for all motor vehicles except for a motorcycle or trailer registration.

Section 301.140 This bill requires anyone purchasing a motor vehicle or trailer from a dealer to provide proof of financial responsibility to the dealer before the issuance of a temporary license plate.

Section 301.143 This bill requires all new signs erected beginning August 28, 2009, relating to disabled parking to contain the words "Accessible Parking" instead of "Handicap Parking."

Section 301.165 This proposal authorizes the issuance of Brain Tumor Awareness Organization special license plates. The proposal also allows persons who have been awarded the Armed Forces Expeditionary Medal to receive a special license plate inscribed with the words "expeditionary service" and bearing a reproduction of the Armed Forces Expeditionary Medal.

301.3155 This bill allows for a special license plate designated "Armed Forces Expeditionary Medal" for any person who has been awarded this military service award. To obtain this plate, a person must make application, furnish proof as a recipient of the Armed Forces Expeditionary Medal, and pay a \$15 fee to the Department of Revenue in addition to the registration fee and any other documents required by law.

301.3158 This bill allows for a special license plate designated "LEGION OF MERIT" and bearing an image of the legion of merit metal for any person who has been awarded this military service award. To obtain this plate, a person must make application, furnish proof as a recipient of the Legion of Merit Medal, and pay a \$15 fee to the Department of Revenue in addition to the registration fee and any other documents required by law.

Section 301.4005 This proposed legislation allows for a special license plate for members of the Missouri Bicycle Federation. To obtain this plate, a person must submit an application for the

FISCAL DESCRIPTION (continued)

Director of the Department of Revenue accompanied by an emblem-use authorization statement along with an additional \$15 fee.

Section 301.4006 This bill allows for a special license plate for members of the Nixa Education Foundation. To obtain this plate, a person must submit an application to the Director of the Department of Revenue accompanied by an emblem-use authorization statement along with an additional \$15 fee.

Section 301.4010 This bill allows for a special license plate for members of the National Wild Turkey Federation. To obtain the plate, a person must submit an application to the Director of the Department of Revenue accompanied by an emblem-use authorization statement along with an additional \$15 fee.

Section 301.4016 This proposed legislation allows for a special license plate for members of the Missouri Stream Team. To obtain the plate, a person must submit an application to the Director of the Department of Revenue accompanied by an emblem-use authorization statement along with an additional \$15 fee. Any person who was previously issued a Missouri Stream Team plate and who does not provide an emblem-use authorization statement at a subsequent time of registration will be issued a new plate which does not bear the Missouri Stream Team's emblem.

Section 301.190 This bill establishes a procedure for adding or deleting a name or names on an application for certificate of ownership for a motor vehicle or trailer when there is an inconsistency with the notice of lien.

Sections 301.131, 301.150, 301.310, 301.420, 301.440, 301.716, 307.010, 307.015, 307.090, 307.120, 307.125, 307.155, 307.172, 307.173, 307.195, 307.198, 307.365, 307.375, 307.390, 307.400, 488.006 and 556.021

This bill changes the laws regarding the penalties for certain violations of motor vehicle licensing, registration, and equipment provisions. In its main provisions, the bill:

- (1) Changes the penalties for persons violating the provisions of Sections 301.010 - 301.440, RSMo, regarding registration and licensing of motor vehicles. Currently, persons violating a provision of these sections can be found guilty of a class C misdemeanor and be subject to a fine of not less than \$5 or more than \$500 and/or imprisonment in the county jail for a term not exceeding one year. The bill reduces the penalty to an infraction with the same fines;
- (2) Specifies that any person who willfully or knowingly makes a false statement on an

FISCAL DESCRIPTION (continued)

application for the registration of a motor vehicle or trailer, or as a dealer, or in an application for or assignment of a certificate of ownership will be guilty of a class C misdemeanor;

- (3) Changes a violation of the following from a misdemeanor to an infraction:
 - (a) Provisions of Sections 301.700 - 301.714 and Section 307.198 regarding all-terrain vehicles;
 - (b) Provisions regarding when materials fall off a vehicle, trailer, or semitrailer while being transported or carried;
 - (c) Provisions requiring vehicles to be equipped with mud flaps;
 - (d) Provisions of Sections 307.020 - 307.120 regarding vehicle light regulations;
 - (e) Provisions regarding the lighting requirements for animal-driven vehicles;
 - (f) Provisions of Sections 307.130 - 307.160 regarding vehicle safety glass;
 - (g) Provisions regarding vehicle maximum bumper heights;
 - (h) Provisions regarding vehicle side window tinting;
 - (i) Provisions regarding the improper operation of a motorized bicycle;
 - (j) Provisions of Sections 307.350 - 307.390 regarding motor vehicle inspections; and
 - (k) Provisions of Section 307.400 regarding regulations of commercial vehicles, equipment, and operation;

- (4) Changes a violation of the following from an infraction to a class C misdemeanor:
 - (a) Provisions of Section 307.365 regarding requirements of official inspection stations; and
 - (b) Provisions of Section 307.375 regarding inspections of buses used to transport children to or from school;

- (5) Requires Missouri courts for any infraction, unless otherwise provided by law, to assess all court costs, fees, surcharges, and other miscellaneous charges in the same manner and amount as a misdemeanor;

- (6) Specifies that an offense is an infraction if it is designated as one or if a violation can result only in a fine, forfeiture, other civil penalty, or any combination thereof. A determination of whether an infraction has occurred will be made by the filing of a civil action. The action must be filed by a person who is authorized to bring a criminal action or an action to enforce an ordinance. The action will be brought in the name of the state or the appropriate political subdivision. An infraction violation must be proved by a preponderance of the evidence but must not be tried by a jury. If an infraction violation is proven, judgment must be entered for the plaintiff; and

- (7) Requires the driver of any vehicle or the rider of any animal traveling on a roadway to stop on the signal of any law enforcement officer and to obey any reasonable signals or directions of

FISCAL DESCRIPTION (continued)

the officer given in the course of enforcing any infraction. Any person who willfully fails or refuses to obey any signal or direction or who resists or opposes an officer while enforcing any infraction will be guilty of a class A misdemeanor.

Section 301.571 This bill allows mobility motor vehicle dealers to purchase new motor vehicles and equip them for retail sale as mobility motor vehicles.

Section 304.170 and 304.260 This bill exempts tractors driven by licensed drivers during daylight hours on specified parade routes for fund-raising activities and other special community events involving tractors from certain width, height, length, and registration regulations.

Section 226.030, 302.700 and 302.735 Hazardous Material Definition - This act modifies the definition of hazardous materials to correspond with federal law and regulations.

CDL Military Exemption - This act provides that a military member while driving a vehicle for military purposes is exempt from possessing a CDL. Current law provides that the military member must be driving a military vehicle to qualify for the exemption.

Farmer CDL Exemption - This act clarifies the CDL exemption for persons driving farm vehicles. In order to qualify for the exemption, the farm vehicle must be controlled by a farmer or family member, be used to transport agricultural products, machinery, or supplies to or from a farm, not be used in the operations of a common or contract carrier, and be used within 150 miles of the farmer's farm.

Section 302.182 This bill allows an individual who is permanently disabled to apply to the Department of Revenue to have a notation indicating that status on his or her driver's or nondriver's license. The department will establish the cost and criteria for the placement of the notation.

Section 304.870 This bill prohibits any person from climbing, standing, or working on top of any trailer or semitrailer stopped along any highway unless proper safety precautions are taken. Any person violating this provision will be guilty of an infraction punishable by a fine of between \$50 and \$100.

Section 307.128 This bill allows motorcycle headlamps to be wired to modulate either the upper beam or the lower beam from its maximum intensity to a lesser intensity. The standards for the modulation are specified in the bill.

FISCAL DESCRIPTION (continued)

Section 407.584 This bill requires any motor vehicle dealership which requires warranty work and repairs to be completed by a manufacturer-authorized dealership or repair facility and the dealership or repair facility discontinues this service and no other authorized dealership or repair facility is located within 75 miles of the dealership or repair facility to allow another dealership or repair facility that is certified by the National Institute for Automotive Service Excellence and is located within 75 miles to perform the warranty work and repairs.

Any dealership or repair facility completing warranty work is allowed to use aftermarket parts if original equipment parts will not arrive within five business days and the aftermarket parts will be available before the original equipment parts. The use of aftermarket parts will not void the manufacturer's warranty nor will aftermarket parts be covered by the manufacturer's warranty.

Section 407.385 Under this act, any court using a centralized violation bureau may elect to have the bureau order and verify completion of driver improvement programs or motorcycle-rider training courses. If a person has been ordered by the court to attend a driver-improvement program or a motorcycle-rider training program, the person also consents to attendance at any such program, and to verification of such attendance as directed by the bureau, when he or she pays the fines and court costs.

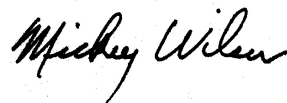
Section 565.081, 565.082 and 565.083 This bill expands the crime of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, and third degree to include a highway worker in a construction or work zone.

Sections 1-5 Land Conveyance This bill authorizes the Governor to convey state property located in St. Louis City, which is currently being used by the Department of Corrections as a minimum security correctional facility, to the Highways and Transportation Commission for the new Mississippi River Bridge project.

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

SOURCES OF INFORMATION

Missouri House of Representatives
Department of Revenue
Missouri Department of Transportation
Missouri Senate
Missouri Veterans Commission
Department of Insurance, Financial Institutions and Professional Registration
Office of Administration
Missouri Department of Conservation
Department of Agriculture
Department of Social Services
Department of Health and Senior Services
Department of Public Safety
Department of Natural Resources
Missouri Highway Patrol
Office of the Secretary of State
Office of the Governor
Office of the State Public Defender
Office of Prosecution Services
Department of Corrections
Department of Elementary and Secondary Education
Office of the Attorney General
Office of the State Courts Administrator
City of Kansas City
City of West Plains
St. Louis County
Cass County
Boone County Sheriff Department
Springfield Police Department



L.R. No. 0559-03
Bill No. HCS for HB 1049
Page 22 of 22
April 23, 2009

Mickey Wilson, CPA
Director
April 23, 2009

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