

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2214-01  
Bill No.: SB 522  
Subject: Roads and Highways; Motor Vehicles; Licenses - Driver's  
Type: Original  
Date: March 3, 2009

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Bill Summary: Amends several provisions of law relating to the regulation of commercial drivers' licenses

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</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 2010</b>	<b>FY 2011</b>	<b>FY 2012</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 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</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 FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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## FISCAL ANALYSIS

### ASSUMPTION

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

Officials from the **Department of Revenue, Department of Agriculture, Department of Natural Resources, and the Department of Public Safety - Missouri State Highway Patrol** state this proposal will have no fiscal impact on their respective agencies.

According to the **Department of Transportation (MoDOT)**, some of the changes contained in this proposed legislation (specifically, the changes to the definition of “hazardous material”; the changes relating to failure to appear or failure to pay; changes relating to the military commercial driver’s license exemption; and changes to the definition of “farm vehicle”) were required in an audit of the Department of Revenue’s (DOR) commercial driver’s license (CDL) program conducted by the Federal Motor Carrier Safety Administration (FMCSA).

In a letter sent to DOR on April 29, 2008, Joe Boyd, FMCSA Division Administrator, indicated that unless certain legislative changes were made so that Missouri is in substantial compliance with the Federal Motor Carrier Safety Regulations (FMCSRs), Missouri would be subject to withholdings of its federal-aid highway funds pursuant to 49 Code of Federal Regulations (CFR) Part 384.401.

According to MoDOT, the following proposed changes are required in order to be in compliance with FMCSA:

Amends §302.700.2(8) and 302.755 so that DOR will disqualify a CDL holder upon receipt of a conviction for failure to appear or failure to pay, and that disqualification will continue until the pending court appearance or fine is resolved;

Amends the definition of “hazardous materials” in §302.700 to comply with the current federal definition of “hazardous materials”; and,

Removes the language in §302.775 which only authorizes a CDL exemption for military personnel when driving military vehicles. This change was required by FMCSA, because the federal exemption for military personnel extends to non-military vehicles as well (so long as they are driving the vehicle for military purposes).

Officials from MoDOT anticipate a zero fiscal impact to their agency. This proposal, if enacted,

ASSUMPTION (continued)

will ensure that Missouri does not face sanctions of its National Highway System, Surface Transportation Program and Interstate Maintenance Funds pursuant to 49 CFR Part 384.401. Without some of these changes, FMCSA could decide to pursue withholdings of these funds. The estimated loss of federal funds to MoDOT would be \$25 million (5%) the first year and \$50 million (10%) each additional year.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<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.

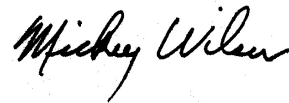
FISCAL DESCRIPTION

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 Revenue  
Department of Transportation  
Department of Natural Resources  
Office of State Courts Administrator  
Department of Public Safety  
    Missouri State Highway Patrol  
Department of Agriculture



Mickey Wilson, CPA  
Director  
March 3, 2009