

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5860-05
Bill No.: Truly Agreed To and Finally Passed SS for SCS for HCS for HB Nos. 1735 & 1618
Subject: Crimes and Punishments; Motor Vehicles; Highway Patrol; Public Safety Department; Roads and Highways; Transportation
Type: Original
Date: June 11, 2014

Bill Summary: This proposal relates to the ownership of certain vehicles.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
General Revenue	Less than \$100,000	Less then \$100,000	Less than \$100,000
Total Estimated Net Effect on General Revenue	Less than \$100,000	Less than \$100,000	Less than \$100,000

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
School District Trust	Less than \$100,000	Less then \$100,000	Less than \$100,000
Conservation	Less than \$100,000	Less then \$100,000	Less than \$100,000
Parks and Soils	Less than \$100,000	Less then \$100,000	Less than \$100,000
Total Estimated Net Effect on <u>Other</u> State Funds	Less than \$100,000	Less then \$100,000	Less than \$100,000

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
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 2015	FY 2016	FY 2017
Local Government	Less than \$100,000	Less then \$100,000	Less than \$100,000

FISCAL ANALYSIS

ASSUMPTION

§§301.010 & 301.700

Officials from the **Department of Public Safety - Missouri Highway Patrol** assume the proposal would not fiscally impact their agency.

In response to a previous version of this bill, the **Department of Transportation** assumed this part of the bill would not have a fiscal impact on their agency.

Officials from the **Department of Revenue (DOR)** state currently, "all terrain vehicles" (ATV), as defined in §301.010(1), are titled and registered under §301.700, while "recreational off highway vehicles" (ROV), as currently defined, are not.

By deleting "with a seat designed to be straddled by the operator" and "handlebars for steering control" from the definition of an all terrain vehicle and "with a nonstraddle seat, and steering wheel" from the definition of a recreational off highway vehicle, this may cause confusion and remove any clarity as to the difference between an all terrain vehicle and a recreational off highway vehicle.

These definition changes have effectively shifted some recreational off-highway vehicles into the definition of an ATV. Therefore, there will be a requirement for more recreation off-highway vehicles, now falling under the definition of ATV, to be titled and registered with the Department and taxes to be collected at the time of titling, not at the time of sale.

DOR anticipates a slight increase in revenue from the changes. As stated above, more ROV's will now be considered ATV's. Because of this, they will be taxed each time it's sold (upon titling) when they were never taxed after the initial purchase. It is unknown how this will impact total state revenue.

DOR states the sales taxes that would be collected on the resale of an ATV would be collected for the following funds (General Revenue 3%, School District Trust Fund 1%, Conservation .125%, and Parks and Soils .100%). Also, the titling and registration fees would be paid into the General Revenue Fund.

DOR also assumed the proposal would require administrative changes that will result in a level of effort equating to \$1,910 in fiscal year 2015.

ASSUMPTION (continued)

Oversight assumes DOR is provided with core funding to handle a certain amount of programming activity each year. Oversight assumes DOR could absorb some of the costs related to this proposal.

Oversight will assume an unknown amount (under \$100,000) of additional sales tax revenue and titling/registration fee revenue will be collected as a result of this proposal. Oversight does not have information available to determine how many previously-classified "recreational off-highway vehicles" will now be classified as "all-terrain vehicles" as a result of this proposal.

§578.120 - Sunday sales of motorcycles and motorized vehicles sold by powersports dealers.

Officials from the **Department of Economic Development** assume the proposal will have no fiscal impact on their organization.

Officials from the **Department of Revenue (DOR)** state the following procedures will need to be implemented for the changes in this proposal:

- Procedures will need to be revised by a Management Analyst I requiring 40 hours at a cost of \$840 in FY `15.
- The Dealers Operating Manual will need to be revised by a Management Analyst I requiring 40 hours at a cost of \$840 in FY `15.

In summary, DOR assumes a cost of \$1,680 (\$840 + \$840) in FY 2015 to provide for the implementation of the changes in this proposal.

Oversight assumes DOR is provided with core funding to handle a certain amount of programming activity each year. Oversight assumes DOR could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

Oversight assumes allowing motorcycle sales on Sunday would change the date of some sales, but would not materially affect the amount of sales. Therefore, Oversight assumes there would be no impact on sales or use tax collections.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
GENERAL REVENUE			
<u>Income</u> - Department of Revenue (DOR)			
- Additional titling/registration fees resulting from change in definition of all- terrain vehicle (§§301.010 & 301.700)	Less than \$100,000	Less then \$100,000	Less than \$100,000
<u>Income</u> - DOR - Additional sales tax collected during titling/registration of used all-terrain vehicle (above \$3,000) because of change in definition (§§301.010 & 301.700)	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>	Less than <u>\$100,000</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>Less than</u> <u>\$100,000</u>	<u>Less then</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>
SCHOOL DISTRICT TRUST FUND			
<u>Income</u> - DOR - Additional sales tax collected during titling/registration of used all-terrain vehicle (above \$3,000) because of change in definition (§§301.010 & 301.700)	Less than <u>\$100,000</u>	Less then <u>\$100,000</u>	Less than <u>\$100,000</u>
ESTIMATED NET EFFECT TO THE SCHOOL DISTRICT TRUST FUND	<u>Less than</u> <u>\$100,000</u>	<u>Less then</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>

<u>FISCAL IMPACT - State Government</u> (continued)	FY 2015 (10 Mo.)	FY 2016	FY 2017
CONSERVATION COMMISSION FUND			
<u>Income</u> - DOR - Additional sales tax collected during titling/registration of used all-terrain vehicle (above \$3,000) because of change in definition (§§301.010 & 301.700)	Less than <u>\$100,000</u>	Less then <u>\$100,000</u>	Less than <u>\$100,000</u>
ESTIMATED NET EFFECT TO THE CONSERVATION COMMISSION FUND	<u>Less than</u> <u>\$100,000</u>	<u>Less then</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>
PARKS AND SOIL FUNDS			
<u>Income</u> - DOR - Additional sales tax collected during titling/registration of used all-terrain vehicle (above \$3,000) because of change in definition (§§301.010 & 301.700)	Less than <u>\$100,000</u>	Less then <u>\$100,000</u>	Less than <u>\$100,000</u>
ESTIMATED NET EFFECT TO THE PARKS AND SOIL FUNDS	<u>Less than</u> <u>\$100,000</u>	<u>Less then</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
 LOCAL POLITICAL SUBDIVISIONS			
<u>Income</u> - Additional sales tax collected during titling/registration of used all-terrain vehicle (above \$3,000) because of change in definition (§§301.010 & 301.700)	<u>Less than</u> <u>\$100,000</u>	<u>Less then</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>
ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	<u>Less than</u> <u>\$100,000</u>	<u>Less then</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>

FISCAL IMPACT - Small Business

Small businesses that sell these units could be administratively impacted result of this proposal. License offices may see a slight increase in the number of title and registration applications from the increase in number of all-terrain vehicles.

FISCAL DESCRIPTION

§§301.010 & 301.700

This act modifies the definitions of "all-terrain vehicle", "recreational off-highway vehicle", and "utility vehicle." For all-terrain vehicles, the requirements that the vehicle have handlebars for steering have been removed and the seat requirement has been changed to one designed for one or more persons. For recreational off-highway and utility vehicles the allowable width has been increased to 67 inches and allowable weight of the utility vehicle has been increased from 1,850 pounds to 2,000 pounds or less to match the recreational off-highway vehicle.

An applicant that purchases a used all-terrain vehicle after August 28, 2014, that was defined as a utility or recreation off-highway vehicle prior to August 28, 2014, may present a notarized bill of sale as evidence of lawful ownership when a certificate of title has not been issued.

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

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SOURCES OF INFORMATION

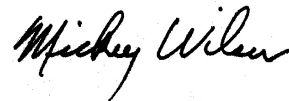
Department of Public Safety

Missouri Highway Patrol

Department of Transportation

Department of Revenue

Department of Economic Development



Mickey Wilson, CPA

Director

June 11, 2014

Ross Strobe

Assistant Director

June 11, 2014