

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0749-01  
Bill No.: SB 198  
Subject: Highway Patrol; Law Enforcement Officers and Agencies; Motor Carriers; Motor Vehicles; Roads and Highways; Transportation; Transportation Department  
Type: Original  
Date: February 21, 2017

Bill Summary: This proposal enacts a regulatory scheme for weigh station and inspection site bypass services.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Highway Funds	\$0 or (\$5,769,341)	\$0 or (Could exceed \$84,042)	\$0 or (Could exceed \$84,880)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0 or (\$5,769,341)</b>	<b>\$0 or (Could exceed \$84,042)</b>	<b>\$0 or (Could exceed \$84,880)</b>

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

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</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 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Highway Funds	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>0 or 1 FTE</b>	<b>0 or 1 FTE</b>	<b>0 or 1 FTE</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state the bill enacts a regulatory scheme for weigh station and inspection site bypass services. It would make the Patrol the sole authority for approving bypass services. Currently, the Missouri Department of Transportation (MoDOT) owns the weigh stations and Highway Patrol personnel do the enforcement at the facilities. This bill would make Missouri's current bypass provider provide unrestricted real-time data access to their weigh in motion systems and all other associated equipment. Since 1991, the current provider (PrePass) has invested nearly twenty million dollars into Missouri infrastructure to include sophisticated weigh in motion systems.

There could possibly be the need for the Commercial Vehicle Enforcement Division (CVE) to hire an FTE, Chief Scale Maintenance Technician, Range 27, to administer the program if the Highway Patrol absorbed the duties currently provided by MoDOT. This position would need to have extensive knowledge of weight in motion systems and electronics.

A possible outcome of the legislation may require the state of Missouri (either MoDOT or the Patrol) to purchase and install weigh in motion systems at 19 locations with a cost of \$200,000 to \$300,000 per location which would not include the cost of maintenance of the weigh in motion systems. For purposes of this fiscal note, the Highway Patrol will include the cost of the systems in their response and will provide a range of \$0 or no impact to \$5,783,209 ( $\$300,000 \times 19 + 44,352 + 38,857$ ) in FY 2018.

Since the Highway Patrol does not currently own this equipment, replacement costs and/or maintenance costs for those systems are unknown.

**Oversight** notes that it is not clear if the new provider of bypass service would pay for the upgrades and then recoup those costs from drivers' fees, or if the state would incur those costs - as described above. Therefore, Oversight will reflect the potential costs to the state in a similar fashion as the MHP did, \$0 or the estimates provided by the MHP.

Officials from the **Department of Transportation** assume an unknown fiscal impact to the Highway Funds.

Officials from the **Joint Committee on Administrative Rules** state this legislation is not anticipated to cause a fiscal impact beyond its current appropriation.

ASSUMPTION (continued)

According to officials from the **Office of the Secretary of State (SOS)**, 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, 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.

**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.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
<b>HIGHWAY FUNDS</b>			
<u>Costs</u> - MHP - potential to purchase, install, and maintain weigh in motion systems at 19 locations	\$0 or (\$5,700,000)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Costs</u> - MHP - potential need for FTE Chief Scale Maintenance Technician			
Salary	\$0 or (\$36,960)	\$0 or (\$44,796)	\$0 or (\$45,243)
Fringe Benefits	\$0 or (\$32,381)	\$0 or (\$39,246)	\$0 or (\$39,637)
<u>Total Costs</u> - MHP	<u>\$0 or (\$69,341)</u>	<u>\$0 or (\$84,042)</u>	<u>\$0 or (\$84,880)</u>
<b>ESTIMATED NET EFFECT TO HIGHWAY FUNDS</b>	<b><u>\$0 or (\$5,769,341)</u></b>	<b><u>\$0 or (Could exceed \$84,042)</u></b>	<b><u>\$0 or (Could exceed \$84,880)</u></b>
Estimated Net FTE Change for Highway Funds	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small business trucking companies could be impacted by this proposal.

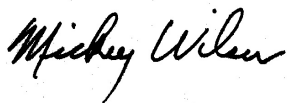
FISCAL DESCRIPTION

This bill clarifies that the Missouri State Highway Patrol will regulate weigh stations and bypasses within Missouri. The patrol may enter into contracts with private parties to operate weigh stations and locate stations and bypasses. Rules shall be uniform and consistent for all private operators of weigh stations and bypasses. The patrol shall allow market forces to determine the number and location of bypasses. The bill requires the collection of real time data on weight of vehicles and allows its use by the state or private parties to determine costs to public roads. There is also a requirement for sharing weight in motion information among providers and a cost sharing provision regarding expenses for such sharing of information. The bill contains a conflict of interest provision preventing all types of state employees from providing or associating with weigh in motion service providers.

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 Public Safety  
Department of Transportation  
Office of the Secretary of State  
Joint Committee on Administrative Rules



Mickey Wilson, CPA  
Director

Ross Strobe  
Assistant Director

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