

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1215S.01I
 Bill No.: SB 162
 Subject: Highway Patrol; Motor Vehicles; Roads and Highways; Transportation;
 Department of Transportation
 Type: Original
 Date: March 23, 2025

Bill Summary: This proposal enacts provisions relating to the use of passing lanes.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue*	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on General Revenue	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

*Oversight assumes the potential costs to DOR to reflect the provisions in §304.015 could exceed \$250,000 if DOR is expected to record violations in its Motor Vehicle and Driver License driver's records.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
State Road Fund	(Up to \$900,000)	\$0	\$0
Various State Funds*	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
Total Estimated Net Effect on <u>Other</u> State Funds	(Less than \$900,000)	\$0 or Unknown	\$0 or Unknown

*Oversight assumes the increase in fine revenue could exceed \$250,000 due to the current number of violations of §304.015

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Local Government*	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

*Oversight assumes the increase in fine revenue could exceed \$250,000 due to the current number of violations of §304.015

FISCAL ANALYSIS

ASSUMPTION

§§227.294, 302.025 & 304.015 – Passing Lane Provisions

Officials from the **Missouri Department of Transportation (MoDOT)** assume the following regarding this proposal:

This legislation would have a negative impact on the State Road Fund as it requires MoDOT to install and maintain specific signage along freeway primary highways. The total negative impact is dependent on the total signs placed.

MoDOT estimates approximately 150 signs across the state. However, the sign message is very specific and not in conformance with signs that have previously been placed regarding passing lanes. Such a long message would require a large sign size to be legible along freeway and primary highways. MoDOT estimates such a large sign could be \$6,000 for fabrication and installation.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by MoDOT. Oversight notes 150 signs @ \$6,000 each = \$900,000. Oversight will reflect the fiscal impact as “Up to \$900,000”.

Officials from the **Department of Revenue (DOR)** assume the following regarding this proposal:

§304.015.6(1) - The department assumes when referring to “driver’s record” this would be housed within the Missouri Uniform Law Enforcement System (MULES) and will not be reflected on the driver record housed within the Motor Vehicle and Driver License Bureau. If the intent is for this information to only be housed within MULES, then other law enforcement agencies outside of the Missouri State Highway Patrol will not have access to this information. If this is not the correct assumption, then the department would need further clarification to identify any impact, but such impact could be significant.

Oversight does not have information to the contrary and therefore, Oversight will reflect the fiscal impact to DOR as \$0 (does not impact DOR because violations will not be recorded in the department’s Motor Vehicle and Driver License Bureau) to “Unknown” costs if it is determined that DOR must include these violations in their internal driver records. Oversight assumes the potential “Unknown” costs could exceed \$250,000. For fiscal note purposes, these costs will be reflected under the General Revenue Fund. Oversight cannot determine if these potential costs will be ongoing; therefore, Oversight will reflect the costs across all fiscal years.

Oversight also notes the proposal includes penalties for violations of §304.015 (currently classified as class C misdemeanors):

- First violation receives a warning which shall be included in the driver’s record in MULES
- Second violation receives a fine of at least \$100, in addition to current penalties

Oversight notes, according to data provided by the Office of the State Courts Administrator, the following misdemeanor convictions for violations of §304.015:

FY 2024	3,395
FY 2023	3,445
FY 2022	3,338

Oversight cannot determine if these violations were a first or second offense; however, if all were fined \$100 there would be a significant increase in fine revenue (exceeding \$300,000). Oversight notes, revenue from fines for violations of §304.015 could also decrease if violators are now issued a written warning for a first offense instead of being charged with a misdemeanor.

A portion of the fine goes to local schools as fine revenue and the remaining goes to various state and local funds for court costs. Oversight will reflect a potential impact to the state and local political subdivisions of “\$0 or Unknown” in additional fine revenue and court cost revenue per year from this charge. Oversight assumes the increase in revenue could exceed \$250,000.

Additional fine revenue received by local school districts may count as a deduction in the following year in determining their state aid apportionment, if the district is not a 'hold harmless' district. For simplicity, Oversight will only reflect the increase in fine revenue as a positive impact to local political subdivisions.

Below are examples of some of the state and local funds to which court costs are distributed.

Fee/Fund Name	Fee Amount
Basic Civil Legal Services Fund	\$8.00
Clerk Fee	\$15.00 (\$12 State/\$3 County)
County Fee	\$25.00
State Court Automation Fund	\$7.00
Crime Victims’ Compensation Fund	\$7.50
DNA Profiling Analysis Fund	\$15.00
Peace Officer Standards and Training (POST) Fund	\$1.00
Sheriff’s Retirement Fund	\$3.00
Motorcycle Safety Trust Fund	\$1.00

Brain Injury Fund	\$2.00
Independent Living Center Fund	\$1.00
Sheriff's Fee	\$10.00 (County)
Prosecuting Attorney and Circuit Attorney Training Fund	\$4.00
Prosecuting Attorney Training Fund	\$1.00 (\$0.50 State/\$0.50 County)
Spinal Cord Injury Fund	\$2.00

Officials from the **Missouri Highway Patrol** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Cost</u> – DOR – potential unknown costs to comply with the new provision of §304.015	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
STATE ROAD FUND			
<u>Cost</u> – MoDOT – signs	(Up to \$900,000)	\$0	\$0
ESTIMATED NET EFFECT ON THE STATE ROAD FUND	(Up to \$900,000)	\$0	\$0

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
VARIOUS STATE FUNDS*			
<u>Revenue</u> – potential increase due to adding a \$100 fine for violations of §304.015	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>
ESTIMATED NET EFFECT ON VARIOUS STATE FUNDS	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>

*Oversight assumes the increase in fine revenue could exceed \$250,000 due to the current number of violations of §304.015.

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
LOCAL POLITICAL SUBDIVISIONS*			
<u>Revenue</u> – School Districts - potential increase due to adding a \$100 fine for violations of §304.015	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>

*Oversight assumes the increase in fine revenue could exceed \$250,000 due to the current number of violations of §304.015.

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This act specifies minimum penalties for operating a motor vehicle in a passing lane when not passing or overtaking another vehicle. The Highway Patrol shall instruct its members regarding this law and shall enforce it to reduce the incidence of violations. (Section 304.015.6).

The Department of Transportation shall place signs along major highways in the state specifying the minimum fines for the improper use of passing lanes. (Section 227.294).

Driver training programs offered in this state shall include information concerning the legal use of passing lanes. (Section 302.025).

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
Missouri Department of Transportation
Missouri Highway Patrol



Julie Morff
Director
March 23, 2025



Jessica Harris
Assistant Director
March 23, 2025