

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 3550-01  
BILL NO.: SB 791  
SUBJECT: Department of Natural Resources; Highway Patrol; Emissions Inspections  
TYPE: Original  
DATE: February 11, 2000

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None	\$0	\$0	\$0
<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 LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	\$0	\$0	\$0

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue**, the **Department of Transportation** and the **Office of the Attorney General** assume their agencies would not be administratively impacted by this proposed legislation.

Officials from the **Missouri State Highway Patrol** (MHP) stated that their agency is no longer actively involved in the emissions inspection program. Therefore, officials from the MHP assume their agency would not be fiscally impacted by this proposed legislation.

Officials from the **Department of Natural Resources** (DNR) assume the proposed legislation modifies who would receive funds from the Missouri Air Pollution Control Fund. Since this would not result in any additional revenue to the state, there would not be a fiscal impact from this provision.

The proposed legislation would require the Department to assume full responsibilities for the emission inspection program in Franklin County. Under the old BAR 90 program operated in the St. Louis non-attainment area, there were 910 inspection stations inspecting approximately 1.2 million vehicles. Under the new Franklin County program there would only be two inspection stations and two mobile vans inspecting 75,000 vehicles. The Department assumes the inspection stations added for the Franklin County would not result in a significant workload increase. Therefore, the Department would not be negatively impacted by this provision.

Also pursuant to this memorandum of understanding, the superintendent of the MHP will promulgate an emergency rule and an order of rulemaking, with DNR's assistance, as required by Section 307.366 RSMo. The emergency rule will be effective by April 5, 2000. The order of rulemaking will be in effect until DNR is given statutory responsibility for the emission inspection program in Franklin County. Once DNR has the authority to promulgate rules under Section 307.366 RSMo., the MHP will rescind their rules after DNR promulgates the required rule for Franklin County. Therefore, there will not be a lapse in the emission inspection program in Franklin County.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

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

DESCRIPTION

This act which would place the BAR90 motor vehicle inspection and maintenance program, currently administered solely in Franklin County, entirely under the rulemaking jurisdiction of the Missouri Air Conservation Commission. Rulemaking authority is currently granted to the Superintendent of the Missouri Highway Patrol.

The act revises language regarding certificates and stickers by requiring that a certificate of approval be issued according to Commission rule for vehicles which are inspected and found to comply with the standards. Inspection station owners shall no longer be required to purchase forms and stickers from the Highway Patrol and are required to furnish forms and stickers of approval as required by Commission rule.

Under the act, fees for BAR90 motor vehicle emissions inspections shall be collected by the Department of Natural Resources, rather than the Highway Patrol. All such fee revenues shall be used solely by the Department of Natural Resources to administer and enforce the BAR90 motor vehicle emissions inspection program.

This legislation would not duplicate any other program and would not require additional capital improvements or rental space, but is federally mandated. The MHP noted that the emission inspection program is mandated by the United States Congress pursuant to the Federal Clean Air Act, 42 U.S.C. 7401, et seq. This proposal however, is not federally mandated.

SOURCES OF INFORMATION

AK:LR:OD:005 (9-94)

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Department of Natural Resources  
Department of Revenue  
Department of Transportation  
Missouri State Highway Patrol  
Office of the Attorney General

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA  
Director  
February 11, 2000