

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 0128-01
BILL NO.: SB 149
SUBJECT: Department of Natural Resources; Highway Patrol; Emissions Inspections
TYPE: Original
DATE: January 24, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue, Department of Transportation** and the **Missouri State Highway Patrol (MSHP)** assume the proposed legislation would have no fiscal impact on their agencies.

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 program would not result in a significant workload increase. Therefore, the Department would not be negatively impacted by this provision.

The MSHP promulgated two rulemakings that rescinded the old BAR 90 rules on 04/30/2000 and established the Franklin County Emission Test Procedures on 06/30/2000. The orders 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 MSHP 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 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

L.R. NO. 0128-01
BILL NO. SB 149
PAGE 3 OF 3
January 24, 2001

FISCAL IMPACT - Small Business

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

DESCRIPTION

This proposal 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 proposal 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. Emissions inspection stations shall no longer be required to purchase forms and stickers from the Highway Patrol. However, emissions inspection stations are required to furnish forms and stickers of approval as required by Commission rule.

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

SOURCES OF INFORMATION

Department of Natural Resources
Department of Revenue
Department of Transportation
Missouri State Highway Patrol



Jeanne Jarrett, CPA
Director

January 24, 2001