

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 128-02  
BILL NO.: Perfected SCS for SB 149  
SUBJECT: Department of Natural Resources; Emissions Inspections  
TYPE: Original  
DATE: March 7, 2001

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
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 2002	FY 2003	FY 2004
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 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 4 pages.

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**FISCAL ANALYSIS**

ASSUMPTION

**Assumptions in reference to Section 307.366**

Officials from the **Department of Transportation** and the **Department of Revenue** assume the proposed legislation would have no fiscal impact on their agencies.

In response to similar legislation (SB 149), officials from the **Missouri State Highway Patrol (MSHP)** assume the proposed legislation would have no fiscal impact on their agency.

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The MSHP promulgated two rulemakings that rescinded the old BAR 90 rules on 04/30/2000 and established the Franklin County Emission Test Procedures on 06/30/2000.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.

**Assumptions in reference to Section 643.315**

Officials from the **Department of Transportation** assume the proposed legislation would have no fiscal impact on their agency.

ASSUMPTION (continued)

Officials from the **Department of Revenue** assume the proposed legislation would have minimal impact on their department. Officials noted that this proposal will only require procedure changes that can be handled with existing resources.

In response to similar legislation (SB 435), officials from the **Missouri State Highway Patrol** assume the proposed legislation would have no fiscal impact on their agency.

Officials from the **Department of Natural Resources** (DNR) assume department rule 10 CSR 10-5.380(2)(B) will have to be revised to reflect the exemption of historic vehicles from emissions testing. Historic vehicle license plates are not renewed once issued. Therefore, emissions tests are only required on initial registration as a historic vehicle and not thereafter. This bill will reduce the number of emissions tests required by a small number. By reducing the number of vehicle inspections, state revenue and air reduction credits would also be reduced.

If this bill becomes law, the DNR's State Implementation Plan for the reduction of VOC emissions in ozone non-attainment areas would likely be minimally impacted. If this results in fewer emissions reductions, those reductions would have to be made up with new strategies.

The DNR anticipates minimal fiscal impact would result from this proposal.

<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

FISCAL IMPACT - Small Business

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

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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 proposal also exempts historic vehicles registered pursuant to Section 301.131, RSMo, from emissions testing.

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

March 7, 2001