

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 857-10
Bill No.: Truly Agreed to and Finally Passed CCS for HCS for SCS for SB 244
Subject: Licenses-Driver's, Revenue Dept., Motor Vehicles; Motor Fuel; Motor Carriers;
 Transportation
Type: Original
Date: June 1, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
HIGHWAY FUNDS	(\$175,600)	(\$100,000)	(\$100,000)
BIODIESEL FUEL REVOLVING FUND	Unknown	Unknown	Unknown
GENERAL REVENUE *	0	(\$200,000)	0
Total Estimated Net Effect on <u>All</u> State Funds	Unknown	Unknown	Unknown

* subject to appropriation

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
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
Cities and Counties	(Unknown)	(Unknown)	(Unknown)
School Districts	(Unknown)	(Unknown)	(Unknown)
Local Government	(Unknown)	(Unknown)	(Unknown)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 9 pages.

FISCAL ANALYSIS

ASSUMPTIONS

Officials from the **Office of State Courts Administrator** assume the proposed legislation would suspend the driver's license of those who steal gas from a gas station and permit suits against those who fail to pay for trucking services. The proposed legislation would also impose a special \$250 fine for speeding in a construction zone. We would not expect any appreciable increase in the volume of traffic cases presented. It is not possible to predict any increased revenue to the school fund as a result of the higher fines. **Oversight** assumes any impact from the proposed legislation would be minimal and could be absorbed from existing resources.

Contracting with Private Entities to Operate Truck Stops and Convenience Stores

In response to a previous version of this proposal, officials from the **Department of Revenue** and the **Department of Transportation (MoDOT)** assumed the proposal would have no fiscal impact on their agencies.

Sheltered Workshops

Officials from the **Department of Revenue** assume the provisions of this proposal regarding sheltered workshops will have no impact on the Department of Revenue.

Drivers License Examinations

In response to a previous version of this proposal, officials from the **Department of Revenue** assume this proposal attempts to modify section 302.173, RSMo to no longer require individuals who surrender a driver license from another state to take a written examination. Officials from the **Department of Revenue** assume this provision has no impact on the Department of Revenue. In response to a similar proposal, officials from the **Department of Transportation - Highways (DHT), and Missouri Highway Patrol (MHP)**, assumed there will be no fiscal impact.

Stealing Motor Fuel

The **Department of Revenue**, Driver and Vehicle Services Bureau, attempted to obtain statistics from the Missouri State Highway Patrol regarding arrests for stealing fuel. The Missouri State Highway Patrol was unable to provide such data.

ASSUMPTION (continued)

The Driver and Vehicle Services Bureau also contacted the Missouri Petroleum Marketers and was advised that they conducted a survey about two years ago with members of their organization. Those who responded indicated that prosecution on such cases is rare due to the dollar amount involved. Most cases involve a theft of less than \$20.00 worth of fuel.

In order to implement this legislation, the Driver and Vehicle Services Bureau will have to develop new conviction codes and two new action types for the license withdrawal actions that will be imposed. These can be developed with existing resources.

Based on the undetermined number of violators, DOR assumes the fiscal impact of this legislation is **UNKNOWN**. **Oversight** assumes the fiscal impact of this proposal is minimal and could be absorbed with existing resources.

The **Department of Revenue** assumes it will incur additional State Data Center costs of \$6,000 in fiscal year 2002. **Oversight** assumes this cost is minimal and could be absorbed with existing resources.

U-turn Provisions

Oversight assumes this proposal would have no impact on state or local government.

Failure to Drive Through a Railroad Crossing

Officials from the **Department of Revenue** assume this legislation contains language which will allow Missouri to comply with recent rulemaking from the Federal Highway Administration. This language states that no person shall drive through a railroad crossing when there is not sufficient space to drive completely through the crossing. Additionally, no person shall drive through a railroad crossing unless the vehicle has sufficient undercarriage clearance to prevent the undercarriage of the vehicle from contacting the railroad crossing. These provisions of the proposal will have no fiscal impact on the Department of Revenue.

Bridge Weight Limits

Oversight assumes this proposal would have no impact on state or local government.

ASSUMPTION (continued)

Construction Zone Offenses

Officials from the **Department of Revenue** assume these provisions of the proposal will have no fiscal impact on the Department of Revenue. In response to previous versions of these proposals, officials from the **Department of Transportation** assume this legislation allows increased penalties for speeding in work zones. Two additional warning signs are required in each work zone if the additional fine is to be applied. Our signs have a three year life cycle while the posts have a 10 year life cycle; therefore, appropriate replacement schedules for these additional signs would be necessary. Initially, MoDOT will use existing signs in all work zones. MoDOT assumes it will cost an additional \$40,000 per year to phase in new construction work zone signs over three years. MoDOT assumes signs for maintenance work zones would cost an additional \$60,000 per year to phase in over three years.

The driver's license reinstatement fees will increase revenue for the highway funds, however, it is not possible to predict the amount of the fees that will be collected. **Oversight** assumes that any increased revenue would be minimal.

Oversight assumes the prohibition on passing in construction zones would have no additional impact.

Side and Rear Vehicle Window Tinting

Officials from the **Department of Revenue** assume this provision has no impact on the Department of Revenue. In response to a previous version of this proposal, officials from the **Department of Public Safety - Missouri Highway Patrol** assumed this proposed legislation would permit any person to operate a motor vehicle with window tinting applied to their car. The tinting must have a light transmission of thirty-five percent or more, plus or minus three percent. Each trooper assigned to the road would require a light meter. There are 756 troopers and the light meter is approximately \$100 each. The total fiscal impact would be \$75,600 (756 x \$100 = \$75,600).

Oversight assumes local law enforcement agencies would also require light meters to check vehicles for the light transmission test. Whether local law enforcement agencies will require all officers within their agencies to possess the light meters is unknown. Even if each local law enforcement agency acquires only one light meter, Oversight assumes the costs will be significant.

Exhaust Tailpipes on School Busses

Oversight assumes this provision has no fiscal impact on state or local government.

ASSUMPTION (continued)

Alternative Fuel Provisions

Officials from the **Department of Natural Resources** (DNR) assume Section 414.407 would require the department to establish and administer a Biodiesel Fuel Revolving Fund in which funds from the sale of excess EPAAct alternative fuel vehicle credits may be deposited and used to pay the incremental cost of biodiesel by state agencies. The department would also be required to conduct a study by January 1, 2002 on the use of alternative fuels in motor vehicles in the state.

DNR anticipates that as more private and other non-state public fleets are required to meet EPAAct alternative fuel requirements and the establishment of reporting mechanisms for these fleets is put in place, the sale of credits and the administration of this fund could result in the need for additional resources. The department assumes that administrative costs would be covered by monies in the Biodiesel Fuel Revolving Fund as outlined in this proposal. The department does not anticipate a need for additional resources to implement the provisions of this section.

Oversight assumes this proposal would create unknown revenues and expenditures. Oversight assumes the Department of Natural Resources would conduct the study on the use of alternative fuels in motor vehicles from existing resources and would limit program expenditures to available program resources.

In response to similar proposals, the **Office of the State Treasurer** assumed no fiscal impact to their organization.

Retro Reflective Sheeting for School Warning Signs

Officials from the **Department of Transportation** (MoDOT), assume this legislation will require MoDOT to administer the School Transportation Safety Program. This allows MoDOT to award grants to local communities to get retro reflective sheeting for school warning signs. The money to fund the program will come from the General Revenue Fund, subject to appropriation, not to exceed a total of \$200,000. However, the local community/government must also contribute 20% of the total cost of the project to qualify for the grant.

ASSUMPTION (continued)

MoDOT assumes that current personnel will absorb the time necessary to administer the program. We also assume that the communities will usually donate time to install the signs or other materials as their 20% of required contribution. In a few circumstances, the signs may need to be placed on MoDOT right-of-way in which current maintenance personnel will erect the sign; however, we estimate that these instances will be insignificant. Therefore, the cost of the program will be only the amount of the grants from General Revenue that are awarded.

Oversight assumes the local communities will have a cost to match these grants of at least 25% of the grant, as required by the proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
HIGHWAY FUNDS			
<u>Cost - MoDOT</u>			
Additional sign replacement costs	(\$100,000)	(\$100,000)	(\$100,000)
<u>Cost - MHP</u>			
Light meters	(\$75,600)	\$0	\$0
ESTIMATED NET EFFECT ON HIGHWAY FUNDS	<u>(\$175,600)</u>	<u>(\$100,000)</u>	<u>(\$100,000)</u>
GENERAL REVENUE FUND			
<u>Cost - MoDOT</u>			
Grants for local communities *	\$0	(\$200,000)	\$0
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND *	<u>\$0</u>	<u>(\$200,000)</u>	<u>\$0</u>

* subject to appropriation

DESCRIPTION - continued

Define sheltered workshops as political subdivisions, as used to determine if a motor vehicle is required to be registered with the Department of Revenue.

Require individuals who do not possess a drivers license from this state or any other state to take a drivers license examination.

Require the director of revenue to suspend an individual's driving privilege if convicted of stealing motor fuel. A first offense would suspend the driving privilege for six months and a second offense would revoke the driving privilege for one year.

Modify laws regarding U-turns.

Create the new crimes of failing to drive a vehicle completely through a railroad crossing and failure to drive a vehicle completely through a railroad crossing when the vehicle does not have sufficient undercarriage clearance necessary to prevent the vehicle from contacting the railroad crossing.

Allow the Department of Transportation to modify the weight and speed limits on bridges.

Increase penalties for speeding in posted work zones.

Prohibit passing in posted work or construction zones.

Allow side and rear window tinting.

Require school bus exhaust tailpipes to be flush or not extend more than two inches beyond the body or bumper of the bus.

Require implementation of the EPCRA of the Federal Energy Policy Act, 42 U.S.C. 13201 regarding biodiesel and other alternative motor fuels.

Permit a suit against those who fail to pay for trucking services and would specify damages in certain cases.

Regulate labor rates for warranty work on industrial, maintenance, construction, or outdoor power equipment.

Allow MoDOT to award grants to local governments to obtain retro reflective sheeting for school warning signs.

DESCRIPTION - continued

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

Office of State Courts Administrator
Department of Revenue
Missouri Highway Patrol
Department of Transportation
Department of Economic Development
Division of Motor Carrier and Railroad Safety
Public Service Commission
Department of Natural Resources



Jeanne Jarrett, CPA
Director
June 1, 2001