

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1767-08  
Bill No.: HCS for HB 818  
Subject: Motor Vehicles; Licenses - Misc; Licenses - Motor Vehicle; Merchandising Practices  
Type: Original  
Date: April 11, 2011

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Bill Summary: This proposal modifies provisions relating to transportation.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
General Revenue	\$0 or (Less than \$100,000)	Unknown - Less than \$100,000	Unknown - Less than \$100,000
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0 or (Less than \$100,000)</b>	<b>Unknown - Less than \$100,000</b>	<b>Unknown - Less than \$100,000</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 25 pages.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
Motor Vehicle Commission Fund	\$1,625 to Unknown - Less than \$100,000	\$1,950 to Unknown - Less than \$100,000	\$1,950 to Unknown - Less than \$100,000
Highway Fund	Unknown - Less than \$100,000	Unknown - Less than \$100,000	Unknown - Less than \$100,000
State School Moneys Fund	\$0	\$0*	\$0*
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$1,625 to Unknown - Less than \$100,000</b>	<b>\$1,950 to Unknown - Less than \$100,000</b>	<b>\$1,950 to Unknown - Less than \$100,000</b>

\*Offsetting Savings and Loss to State School Moneys Fund for FY 13 & FY 14 is Unknown-Less than \$100,000

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<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 FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Local Government	Unknown - Less than \$100,000 to (Unknown)	Unknown - Less than \$100,000 to (Unknown)	Unknown - Less than \$100,000 to (Unknown)

#### FISCAL ANALYSIS

##### ASSUMPTION

Officials from the **Department of Public Safety - Missouri State Highway Patrol, Department of Administration - Administrative Hearing Commission, Office of Prosecution Services, Office of State Public Defender, and the Department of Insurance, Financial Institutions and Professional Registration** state this proposed legislation will have no fiscal impact on their respective agencies.

Officials from the **Department of Natural Resources** do not anticipate a direct fiscal impact from this proposal.

According to officials from the **Office of Secretary of State (SOS)**, many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the proposal. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

According to officials from the **Joint Committee on Administrative Rules (JCAR)**, this proposal should not create any additional fiscal impact above current appropriations to JCAR.

ASSUMPTION (continued)

Officials from the **Office of Attorney General (AGO)** assume that enforcement of the proposal would be done by the Department of Revenue and local prosecuting attorneys. Therefore AGO assumes that any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **City of Kansas City** state this proposal will have no fiscal impact on their city.

Officials from the **Boone County Sheriff's Department** state this proposal will have no fiscal impact on their law enforcement agency.

**HB 857** - Requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offence to the agency.

§70.441

Officials from **St Louis County** state there is no fiscal impact to the county.

Officials from the **Bi-State Development Agency** assume the revenue received as a result of this proposal will neutralize the annual cost attributable to the enforcement, investigation, and prosecution of offenses and create a favorable financial impact. It will create a savings.

**Oversight** assumes the revenues will offset the costs of collection and for fiscal note purposes only, will show no fiscal impact.

**HB 518** - Establishes the "Missouri State Highway Patrol Sergeant Joseph G Schuengel Memorial Highway in St Louis County.

**HB 814** - Designates the Truman/Eisenhower Presidential Highway on Interstate 70 in Kansas City

**HB 895** - Establishes the "Representative Otto Bean Memorial Highway" in Dunklin and Stoddard County

ASSUMPTION (continued)

**HB 912** - Designates the “SFC Wm. Brian Woods, Jr. Memorial Highway” in Jefferson County

§227.424, 227.425, 227.429, and 227.430

Officials from the **Department of Transportation** assume no fiscal impact for these highway designations since the cost is to be paid for by private donations.

**HB 818** - Modifies provisions relating to motor vehicle dealers

§301.069.5, 301.280.6, 301.425, & 301.567.4

Officials from the **Department of Corrections (DOC)** state that DOC's MO Vocational Enterprises (MVE) manufacturers license plates for statewide vehicle use. This proposal states that dealer plates could be issued to cover a period of up to two years. These plates are currently issued every year. This could possibly reduce the amount of license plate metal sheeting purchased by up to one half. Manufacturing fewer plates would cause smaller sheeting orders which in turn increases the price of sheeting due to volume price breaks that are no longer met. This in turn will likely cause an increase in the per plate price. MVE is reimbursed for their actual manufacturing cost but the consumer may see the increase.

Penalty provisions, the component of the proposal to have potential fiscal impact for DOC, is for up to a class D felony. Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY10 average of \$3.92 per offender, per day or an annual cost of \$1,431 per offender).

In summary, supervision by the DOC through probation would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

ASSUMPTION (continued)

§301.032

According to officials from the **Department of Transportation (MoDOT)**, this section authorizes fleet vehicle owners to apply for fleet license plates bearing a company name or logo. These plates are already allowed under current law, but the proposal imposes a restriction so that a fleet owner must own at least 50 vehicles before applying for these special license plates. This change could potentially have a fiscal impact on MoDOT. Under current law, fleet vehicle owners are required to pay a one-time additional \$5 fee to receive these special license plates. It is unlikely that this \$5 fee covers the Department of Revenue costs to manufacture these special fleet vehicle plates. DHT would defer to Department of Revenue for the potential fiscal impact to MoDOT, if any, from this change in law.

**Officials from the Department of Revenue (DOR)** - Motor Vehicle Bureau provided the following assumptions regarding fiscal impact to their agency:

Administrative Impact - Motor Vehicle Bureau (MVB)

This section only allows a fleet owner with at least 50 motor vehicles to get fleet plates bearing the company name or logo. This process has not been fully realized and therefore no statistical impact is being shown for the change.

DOR assumes any cost incurred in other sections of this proposal will be absorbed with existing resources.

Revenue Impact

§301.218

DOR assumes scrap processors licenses will increase by 30 applicants annually. A salvage business license costs \$65 with an increase to the Motor Vehicle Commission Fund of \$1,625 in FY12 (10 months) and \$1,950 thereafter.

§301.562.4

According to officials from the **Jefferson City Police Department**, local law enforcement would be one of the entities responsible for collecting suspended or revoked licenses or license plates. This method was used in the past under the form of a Police Demand Order (PDO) from the Director of Revenue to law enforcement personnel. There were a large number of these order

ASSUMPTION (continued)

issued and it did create a fiscal impact on the local law enforcement to collect these items and return them to DOR. The impact was in both time and resources. The actual impact would be unknown until the agency got into the business of recovering the items.

In response to the introduced version of this proposal, officials from the **Springfield Police Department** state this proposal has no direct fiscal impact on law enforcement.

**HB 608** - Requires new parking lots and parking lots being re-stripped to designate a certain number of lift van accessible only parking spaces with at least one having an access aisle.

§301.143

No Impact

**HB 69** - Allows for a special license plate for members of the International Conference of Police Chaplains who have completed the basic certification requirements.

§301.483

Officials from the **Department of Corrections** state this proposal has no fiscal impact on their agency.

Officials from the **Department of Transportation** concur with the assumptions from the Department of Revenue.

ASSUMPTION (continued)

Officials from the **Department of Revenue (DOR)** provided the following assumptions of fiscal impact for this proposed legislation:

Administrative Impact - Motor Vehicle Bureau

- Procedures will need to be revised by a Management Analyst Specialist I requiring 40 hours of overtime at a cost of \$805 in FY 12.
- The Application for Missouri Personalized and Specialty License Plates (DOR-1716) will need to be revised to include a new plate type. This will require 40 hours of overtime for a Management Analyst Specialist I, at a cost of \$805 in FY 12.
- The DOR web site will need to be updated to include the new plate type. This will require 10 hours of overtime for an Administrative Analyst III, at a cost of \$218 in FY 12.

Total cost for FTE in FY 12: \$1,828

**Oversight** assumes DOR is provided with core funding to handle a certain amount of activity each year. **Oversight** assumes DOR could absorb the personal service costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

Set-up cost

Currently, DOR is charged \$250 for the initial set-up of a new specialty plate for passenger, truck, and RV as well as an additional charge of \$90 each to include disabled and motorcycle plates, for a total of \$430 for the initial set-up. This is a one-time fee that will be charged upon passage of this proposal in FY 12.

Plate manufacturing cost

Currently, it costs DOR \$4.25 per plate, \$8.50 per set of plates, for manufacturing flat plates through Missouri Vocational Enterprises.

The Motor Vehicle Bureau contacted the International Conference of Police Chaplains (ICPC) to obtain information pertaining to the potential number of applicants who will qualify to obtain these plates, however DOR was unable to obtain the statistics. Therefore, the number of applicants who will wish to obtain this plate is unknown.

LMD:LR:OD (12/02)

ASSUMPTION (continued)

DOR is assuming 200 applicants in FY 12 at a cost to the Department of \$1,700 in FY 12.

Total cost for plate set-up (in FY 12 only) and manufacturing:

<u>FY 12</u>	<u>FY 13</u>	<u>FY 14</u>
\$1,847	\$1,743	\$1,786

§301.483.2 states "Any person who is lawfully in possession of such plates who resigns, is removed, or otherwise terminates or is terminated from association with the ICPC shall return such special plates to the director within fifteen days."

DOR will have to set up a system of communications with the ICPC to determine when and if an applicant has resigned, is removed, or otherwise terminates or is terminated from association with the ICPC. DOR may incur unknown additional costs for this.

DOR will need to set up a system of tracking the 15 day period an applicant has to surrender the plates. DOR may incur unknown additional costs for this.

Information Technology - OA-ITSD (DOR):

System Modifications:

The Title and Registration Intranet Processing System (TRIPS) plate table would need to be updated to reflect the International Conference of Police Chaplains specialty plate.

Revenue Impact

The number of applicants who wish to obtain this plate is unknown. However, for each 100 International Conference of Police Chaplains specialty plate applications received, there will be an increase in revenue each year of \$1,500 as a result of the \$15 specialty plate fee that is constitutionally distributed as follows:

FY 12

75%-Highway Fund	\$1,125
15%- Cities	\$ 225
10%- Counties	\$ 150

LMD:LR:OD (12/02)

ASSUMPTION (continued)

Since it is unknown how many plate applications will be received for this plate, for fiscal note purposes only, **Oversight** will estimate revenue as: \$0 to Less than \$100,000. **Oversight** will also estimate cost to General Revenue as: \$0 to (Less than \$100,000).

**SB 167** - Allows the Department of Revenue to issue special event motor vehicle auction licenses to applicants auctioning certain vehicles

§301.580

Officials from the **Department of Revenue (DOR)** assume procedures will need to be revised by a Management Analyst Specialist I requiring 40 hours of overtime at a cost of \$805 in FY 12.

In addition, DOR will need to develop an application for the special event motor vehicle auction license and a form to report all vehicles included in the auction. These forms will be in electronic format. This will require 40 hours of overtime for a Management Analyst Specialist I, at a cost of \$805 in FY 12.

The DOR web site will need to be updated to include the new information relating to this proposal which will require 10 hours of overtime for an Administrative Analyst III, at a cost of \$218 in FY 12.

Currently, a Revenue Processing Tech I can process 6 dealer applications per hour and 50 dealer reports that DOR receives in paper form per hour. It is unknown how many of these special motor vehicle auction licenses will be applied for per year, therefore DOR may need to request through the appropriations process additional FTE or overtime to process the applications for a special motor vehicle auction license as well as process and key the reports submitted for all vehicles taken to the auction.

**Oversight** assumes the administrative costs associated with a limited number of licenses issued would be minimal and would not create a significant impact on the DOR resources and budget. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriations process.

ASSUMPTION (continued)

Information Technology - OA-ITSD (DOR)

DOR assumes IT will need to configure the legacy dealer system to account for these special auction permits and incorporate those requirements into the new dealer system. DOR would have to issue and track the special auction license and the customer information as well as process payments and issue receipts. The Title and Registration Information Processing System (TRIPS) system will need to be revised. The legacy dealer system, as well as the new dealer system, would need to be configured to allow for the recording of the report to be submitted for every vehicle sold or not sold (at the auction at the special event motor vehicle auction).

This section will be handled through manual process and will be deigned with the new dealer system. No impact.

Officials from the **Department of Revenue (DOR)** assume there will be an unknown increase to the Motor Vehicle Commission Fund due to the \$1,000 special event motor vehicle auction license fee. DOR assumes there could also be an unknown increase to the Motor Vehicle Commission Fund from the \$500 administrative fee for every vehicle auctioned in violation of subsection 6 of this section.

**Oversight** assumes the income resulting from license fees is minimal and income from violations is speculative. For fiscal note purposes only, **Oversight** will shown Unknown - Less than \$100,000 income for the Motor Vehicle Commission Fund.

Officials from the **Department of Corrections (DOC)** state that, currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY10 average of \$3.92 per offender, per day or an annual cost of \$1,431 per offender).

In summary, supervision by the DOC through probation would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

ASSUMPTION (continued)

**HB 820** - Establishes medical certification requirements for holders of commercial driver's licenses.

§302.341, 302.700, and 302.768

Officials from the **Department of Transportation** state costs associated with this proposal are already included in the current budget request. This proposal would implement current Federal requirements for States to modify their procedures for the issuance, renewal and transfer of a Commercial Drivers License (CDL) to a person who operates or will operate a commercial motor vehicle (CMV). The proposal would require CDL applicants more specifically to certify the nature of their proposed CMV operations and whether Federal or State driver qualification requirements will be applicable to those operations.

The enactment of these changes to Missouri's CDL statutes will be necessary to bring this State into compliance with the Federal mandate prescribed by 49 USC § 1311(a)(1) and (21), §31309(e)(4) and § 31305(a)(7); and 49 CFR §383.73 and §384.301.

Officials from the **Department of Revenue (DOR)** assume the costs associated with development and implementation of the proposed medical certification program will be absorbed as part of a pending system upgrade project.

DOR further states that provisions contained in §302.700 and 302.768 are required for state compliance for its commercial drivers license (CDL) program under the provisions of 49 CFR Parts 383, 384 and 391 of the Federal Motor Carrier Safety Administration (FMCSA) regulations for commercial driver medical certification; provisions in section 302.341 required under 49 CFR § 384.226 "anti-masking" provisions (prohibits removal of Failure to Appear actions from a CDL holder's driver record after compliance shown).

Missouri federal-aid highway funds are subject to withholding if a state is found to be substantially in noncompliance. The first year of noncompliance the sanction is five (5) percent, the second and subsequent years the sanction is up to ten (10) percent of those funds.

**Oversight** assumes Missouri will be in compliance with the mandated provisions and will assign no costs for sanctions.

ASSUMPTION (continued)

**HB 868** - Modifies provisions relating to highway lane usage.

§304.015

No impact.

**HB 906** - Prohibits the use of hand-held electronic communications devices by persons operating school buses that are transporting children

§304.054

Officials from the **Office of Prosecution Services** and the **Department of Public Safety - Office of the Director, Capitol Police, and Missouri State Highway Patrol** state this proposed legislation will have no fiscal impact on their agencies.

Officials from the **Department of Elementary and Secondary Education** state this proposal will have no fiscal impact on their agency or on local school districts.

Officials from the **Department of Revenue(DOR)** provided the following assumption regarding fiscal impact to the Driver License Bureau (DLB)

Administrative Impact

DOR assumes a new conviction code would need to be created.

The Driver License Bureau estimates 40 overtime hours of system testing by one Administrative Analyst I @ \$16 per hr x 1½ = \$24 per hr x 40 hrs = \$960.

**Oversight** assumes DOR is provided with core funding to handle a certain amount of activity each year. **Oversight** assumes DOR could absorb the personal service costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

The offense created under this provision will result in an unknown increase in the number of convictions. The increase in convictions will also increase the number of point warning and suspension/revocation notices issued for accumulation of points.

ASSUMPTION (continued)

There are no statistics available to determine how many additional convictions DOR may be required to process; however, one FTE processes 320 convictions per day. The Department assumes that a minimum of one FTE (Revenue Processing Tech) will be needed to process the additional convictions resulting from the violation. If the volume of convictions received for processing exceeds 320 per day, then additional FTE may be required and will be requested through the appropriations process.

There are no statistics available to determine the volume of telephone calls that may be received; however, currently a Telephone Information Operator (Revenue Processing Tech) is required to handle 100 calls per day. The Department assumes that a minimum of one FTE will be needed to answer the additional phone calls. If the calls received, for text messaging while operating a school bus exceeds 100 calls per day, an additional FTE will be required and will be requested through the appropriations process.

DOR is unable to determine how many convictions will be received for texting while operating a school bus, therefore, the forms and postage costs for issuing the suspension/revocation notices is unknown.

Costs:

Revenue Processing Tech - Process additional convictions for texting while operating a school bus.

Revenue Processing Tech (A10/L) (Telephone Information Operator) - To answer telephone calls related to texting while operating a school bus.

**Oversight** assumes there will be a minimal amount of violations created by this proposal. If a significant amount violations do occur, DOR may request additional personal services through the appropriations process.

Information Technology - OA-ITSD (DOR)

DOR's response to a similar proposal in prior years would have indicated the Department planned to absorb the administrative costs to implement the proposal. Due to budget constraints, reduction of staff and the limitations within the Department's driver license legacy systems, changes cannot be made without significant impact to the Department's resources and budget. Therefore, the IT portion of the fiscal impact is estimated with a level of effort valued at \$1,060 calculated on 40 hours.

LMD:LR:OD (12/02)

ASSUMPTION (continued)

**Oversight** assumes OA-ITSD (DOR) is provided with core funding to handle a certain amount of activity each year. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

Revenue Impact

Reinstatement Fees Collected - Unknown

Fees Collected will be distributed 75% Highway Funds, 15% Cities and 10% Counties.

For fiscal note purposes only, **Oversight** will show fee income to Highway Fund, Cities and Counties as Unknown - Less than \$100,000.

**Oversight** assumes any fine revenue from the infraction will be collected by and paid to local political subdivisions, specifically local school districts. This would be considered a deduction in the following year's allocation from the state to the State School Moneys Fund and then to the local school districts, resulting in a savings to the General Revenue Fund.

Officials from the **Independence School District, St Louis County, and Kansas City** state this proposal will have no fiscal impact on their respective political subdivisions.

Officials from the **St Louis County Police Department, Springfield Police Department, Boone County Police Department, Jefferson City Police Department, and the Columbia Police Department** state this proposal will have no fiscal impact on their respective law enforcement agencies.

**HB 735** - Restricts municipalities from prohibiting commercial traffic on all streets and provides that it is not a nuisance to legally use a motor vehicle on a public street.

§304.120 & 537.293

Officials from the **Office of State Courts Administrator** state these sections of the proposal will have no fiscal impact on the Courts.

Officials from the **Department of Transportation** assume that there is no fiscal impact from this portion of the proposal.

ASSUMPTION (continued)

Officials from the **City of Kansas City** state this proposal may have a negative fiscal impact on the City of Kansas City, Missouri. This bill would require the City to provide commercial vehicles at least one, two-way street, that they can use to access any road in the state highway system. If the City lacks such access, then this proposal could have costs.

Officials from the City of **Raytown** assumed no fiscal impact as a result of this proposed legislation

**HB 713** - Requires the driver and each front-seat passenger in cars and trucks to wear a safety belt with certain exceptions.

§307.178

Officials from the **Office of State Courts Administrator (CTS)** assume this proposal would allow an officer to stop a vehicle for non-compliance with the seat belt law if the officer reasonably believes that the driver or occupant is not wearing a seat belt.

Depending on the degree of enforcement, there could be a significant increase in the number of cases filed. However, the CTS has no way of estimating that increase. Any significant increase would be reflected in future budget requests.

Officials from the **Department of Transportation (MoDOT)** assume this proposal would provide for primary enforcement of Missouri's safety belt law, which would qualify the state to receive an approximate \$500,000 grant under section 405 pursuant to SAFETEA-LU.

If, upon federal interpretation the TAFP legislation is found to be in compliance with section 406 of SAFETEA-LU, Missouri would receive a one time grant of at least approximately \$16 million.

**Oversight** assumes this proposal would allow Missouri to apply for the grants listed above.

§226.131 - Transportation Commission hearings

No Impact

ASSUMPTION (continued)

§305.300 - Creates an airport authority

**Oversight** assumes, for fiscal note purposes only, no fiscal impact.

**Officials from the City of Springfield did not respond to a request for fiscal note.**

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
<b>GENERAL REVENUE</b>			
<u>Cost - Department of Revenue (DOR) - Processing costs for specialty plates (§301.483)</u>	\$0 or (Less than \$100,000)	\$0 or (Less than \$100,000)	\$0 or (Less than \$100,000)
<u>Savings - Department of Elementary and Secondary Education (DESE) - Reduced appropriation to State School Moneys Fund (deduction of fine revenue from previous year) (§304.054)</u>	\$0	Unknown- Less than \$100,000	Unknown - Less than \$100,000
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<u>\$0 or (Less than \$100,000)</u>	<u>Unknown- Less than \$100,000</u>	<u>Unknown - Less than \$100,000</u>

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
<b>STATE SCHOOL MONEYS FUND</b>			
<u>Savings</u> - DESE - Reduced distribution to local school districts (§304.054)	\$0	Unknown- Less than \$100,000	Unknown - Less than \$100,000
<u>Loss</u> - DESE - Reduced appropriation from General Revenue (§304.054)	<u>\$0</u>	(Unknown - Less than \$100,000)	(Unknown - Less than \$100,000)
<b>ESTIMATED NET EFFECT ON STATE SCHOOL MONEYS FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b>HIGHWAY FUND</b>			
<u>Revenue</u> - DOR - Specialty plate fees (§301.483)	\$0 or Less than \$100,000	\$0 or Less than \$100,000	\$0 or Less than \$100,000
<u>Revenue</u> - DOR - Reinstatement fees (§304.054)	Unknown - Less than \$100,000	Unknown - Less than \$100,000	Unknown - Less than \$100,000
<b>ESTIMATED NET EFFECT ON HIGHWAY FUND</b>	<b><u>Unknown - Less than \$100,000</u></b>	<b><u>Unknown - Less than \$100,000</u></b>	<b><u>Unknown - Less than \$100,000</u></b>

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
<b>MOTOR VEHICLE COMMISSION FUND</b>			
<u>Revenue - Department of Revenue (DOR)</u>			
- Special event auto auction fees (§301.580)	Unknown -Less than \$100,000	Unknown - Less than \$100,000	Unknown -Less than \$100,000
 <u>Revenue - DOR -Salvage business licence fees (§301.218)</u>	 <u>\$1,625</u>	 <u>\$1,950</u>	 <u>\$1,950</u>
<b>ESTIMATED NET EFFECT ON MOTOR VEHICLE COMMISSION FUND</b>			
	<b><u>\$1,625 to</u> <u>Unknown -</u> <u>Less than</u> <u>\$100,000</u></b>	<b><u>\$1,950 to</u> <u>Unknown -</u> <u>Less than</u> <u>\$100,000</u></b>	<b><u>\$1,950 to</u> <u>Unknown -</u> <u>Less than</u> <u>\$100,000</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Revenue</u> - Cities and Counties - Specialty plate fees (§301.483)	\$0 or Less than \$100,000	\$0 or Less than \$100,000	\$0 or Less than \$100,000
<u>Revenue</u> - School Districts - Income from fines (§304.054)	Unknown - Less than \$100,000	Unknown - Less than \$100,000	Unknown - Less than \$100,000
<u>Revenue</u> - Cities and Counties - Reinstatement fees (§304.054)	Unknown - Less than \$100,000	Unknown - Less than \$100,000	Unknown - Less than \$100,000
<u>Loss</u> - School Districts - Reduced state aid (§304.054)	\$0	(Unknown - Less than \$100,000)	(Unknown - Less than \$100,000)
<u>Cost</u> - Local Law Enforcement - Revoked licenses/license plate retrieval (§301.562.4)	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> - Cities - Cost of providing commercial vehicle access to any road in the state highway system (§304.120)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>Unknown - Less than \$100,000 to (Unknown)</u></b>	<b><u>Unknown - Less than \$100,000 to (Unknown)</u></b>	<b><u>Unknown - Less than \$100,000 to (Unknown)</u></b>

FISCAL IMPACT - Small Business

This proposal is not expected to have an impact on small business.

## FISCAL DESCRIPTION

This bill changes the laws regarding motor vehicle dealers and transportation. This substitute contains several different bills. Bills that could result in a fiscal impact are as follows:

### **HB 818** - Modifies provisions relating to motor vehicle dealers

- (1) Requires certain specified information to be included in an application for a drive-away license plate and specifies that anyone who violates the provision will have his or her plate revoked. Anyone who knowingly uses a revoked drive-away license plate will be guilty of a class A misdemeanor (§301.069);
- (2) Redefines a scrap processor (§301.218);
- (3) Specifies that any person who knowingly makes a false statement or omission of a material fact in a monthly sales report to the Department of Revenue will be guilty of a class A misdemeanor (§301.280.6);
- (4) Requires a person to surrender a certificate of ownership, a license plate or tab, or a Missouri nondriver identification card or driver's license if a peace officer or a representative from the Department of Revenue has probable cause to believe that it was obtained fraudulently. Anyone failing to surrender the item will be guilty of a class A misdemeanor (301.425);
- (5) Requires the Department of Revenue director to have any agent or employee of the department or any law enforcement officer to secure possession of a person's license or distinctive number plates of any licensee who neglects or fails to surrender an item which has been suspended or revoked. Anyone not surrendering the item will be guilty of a class A misdemeanor (§301.562.4);
- (6) Specifies that any person, partnership, corporation, company, or association with certain exceptions who violates the provision prohibiting the sale of six or more vehicles in a year will be guilty of a class D felony for a subsequent violation (§301.567.4).

**HB 69** - Allows for a special license plate for members of the International Conference of Police Chaplains who have completed the basic certification requirements.

### §301.483

This proposal allows for a special license plate for a member of the International Conference of Police Chaplains who has completed the requirements for basic certification as a police chaplain.

FISCAL DESCRIPTION (continued)

To obtain this plate, a person must submit an application to the Director of the Department of Revenue accompanied by an affidavit stating his or her identification and certification along with an additional \$15 fee. Any person who is lawfully in possession of these plates and resigns, is removed, terminates, or is terminated from the international conference must return the plates to the department director within 15 days

**SB 167** - Allows the Department of Revenue to issue special event motor vehicle auction licenses to applicants auctioning certain vehicles

§301.580

This proposed legislation allows the Department of Revenue (DOR) to issue a special event motor vehicle auction license to an applicant for the purpose of auctioning motor vehicles if 90% or more of the vehicles are at least 10 years old or older. Auctions can be held for no more than three consecutive days and no more than two times in a calendar year by the same licensee. The licensee shall auction no more than three percent of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners. A report must be sent to the Director of the Department of Revenue within 10 days of the conclusion of the auction on a department-approved form specifying the make, model, year, and vehicle identification number of every vehicle included in the auction.

Applications to hold a special event motor vehicle auction must be received by DOR at least 90 days prior to the event. Applicants must be registered to conduct business in this state, pay a licensing fee of \$1,000, and be bonded or have an irrevocable letter of credit in the amount of \$100,000. Applicants will be responsible for ensuring that a sales tax license or special event sales tax license is obtained if required.

Anyone violating this provision will be guilty of a class A misdemeanor and will be charged a \$500 administrative fee per vehicle in violation of this provision payable to DOR.

FISCAL DESCRIPTION (continued)

**HB 906** - Prohibits the use of hand-held electronic communications devices by persons operating school buses that are transporting children.

§304.054

This proposal prohibits any person operating a school bus upon a highway or other public roadway in the state who is transporting children at the time from using a hand-held electronic wireless communications device to send, read, or write a text or electronic message or make or take part in a telephone call.

Anyone violating the provisions of the proposal will be guilty of an infraction which will be deemed a moving violation for the purpose of assessing points against a person's driver's license. Any city or county has the authority to adopt ordinances or regulations that are equivalent to, but not more restrictive than, these provisions.

**HB 735** - Commercial vehicle traffic

§304.120

This section requires a municipality to allow at least one street, with lawful traffic movement and access from both directions, to be used by commercial vehicles to access any roads in the state highway system.

This legislation would not duplicate any other program and would not require additional capital improvements or rental space.

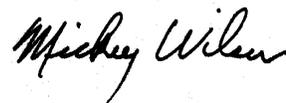
SOURCES OF INFORMATION

Department of Revenue  
Department of Corrections  
Department of Insurance, Financial Institutions and Professional Registration  
Department of Public Safety  
    Missouri State Highway Patrol  
Joint Committee on Administrative Rules  
Office of Secretary of State  
    Administrative Rules Division  
Missouri State Public Defender  
Office of State Courts Administrator  
Office of Prosecution Services  
Office of Administration  
    Administrative Hearing Commission  
Office of Attorney General  
Department of Natural Resources  
Department of Transportation  
Bi-State Development Agency  
Local Law Enforcement  
    Boone County Sheriff's Department  
    Jefferson City Police Department  
    Springfield Police Department  
Cities  
    Kansas City  
    Raytown  
Counties  
    St Louis County

**NOT RESPONDING**

**City of Springfield**

Mickey Wilson, CPA



Director

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