

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3521-09
Bill No.: SCS for HCS for HBs 946, 1106, and 952
Subject: Transportation; Transportation Dept.; Roads and Highways; Motor Vehicles
Type: Original
Date: April 26, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
General Revenue	Unknown	Unknown	Unknown
Total Estimated Net Effect on General Revenue Fund	Unknown	Unknown	Unknown

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
State School Moneys Fund	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety – Missouri State Highway Patrol, Department of Public Safety – Missouri Veterans Commission, Office of Administration – Division of Budget and Planning, Office of Prosecution Services, State Public Defender’s Office** stated this proposal would have no impact on their agencies.

Officials from the **Office of the State Courts Administrator (CTS)** assume the proposal would allow an officer to stop a vehicle for non-compliance with the seat belt law if the violation is clearly visible to the officer without stopping the vehicle, and increase the fine from \$10 to \$15.

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

Officials from the **Department of Transportation (MoDOT)** indicate they will require an additional part-time Senior Clerk position to work 1,000 hours annually. The Senior Clerk would enter real estate data into the system and provide monthly, quarterly and annual data reports. The hourly salary for a senior clerk is \$11.72. Therefore, the cost for this part-time

ASSUMPTION (continued)

position will be \$11,720 (1,000 hours X \$11.72) plus associated fringe benefits. The new part-time Senior Clerk would require a computer and software.

Currently, MoDOT has approximately \$200,000 for the development of a real estate inventory database application in their budget. However, an additional \$117,000 for a related imaging application would be required to aid in the function of the database.

Based on additional information provided by MoDOT officials, the inventory database application was already in the planning stages and funds are in their budget. **Oversight** assumes that additional equipment and personnel will be requested through the normal appropriation process and that the additional reporting requirements of this proposal can be done within existing resources already in place or planned.

MoDOT officials indicated that appropriate organizations have agree to pay for signage marking the "Buzz Westfall Memorial Highway," "U.S. Submarine Veterans' Memorial Highway," "Veterans Highway," and "Earl Carr Memorial Highway," thus, MoDOT assumes no fiscal impact. They further indicated that, at present time, private funds are not in place for signage marking the "Deputy Steven R. Ziegler Memorial Highway," "Thomas G. Tucker Memorial Highway," and "James W. Minton, Jr. Memorial Highway" though such funds are being sought. **Oversight** assume that MoDOT will not purchase or erect such signs until private funds have been received.

MoDOT assumes that this provision allows heavier trucks to travel certain highways in Missouri, and is unable to estimate the amount of additional deterioration such trucks would create and the related cost. **Oversight** assumes that additional costs for such deterioration would be minimal.

Officials from MoDOT assume the educational materials with revised law information would have to be redesigned and printed, but the cost will be absorbed by MoDOT. MoDOT officials state the federal TEA-21 reauthorization bills are currently being negotiated. One of the versions of the federal bill would allow a windfall incentive to states that pass primary seat belt enforcement laws. The maximum grant for states that enact a "safety belt use law" would be equal to 5 times the FY 2003 Section 402 formula grant. Missouri's FY 2003 grant was approximately \$3.4 million. Therefore, the total incentive would be \$17 million. Until a bill is passed on the federal level, the fiscal impact to MoDOT is unknown, but would be either \$0 or \$17 million.

Oversight notes that increases in fines which would go to school districts would be offset by reduced payments to those districts through the State Foundation Formula.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
GENERAL REVENUE FUND			
<u>Savings</u> – Reduced appropriations to State School Moneys Fund	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
STATE SCHOOL MONEYS FUND			
<u>Savings</u> – Reduced distributions to school districts	Unknown	Unknown	Unknown
<u>Losses</u> – Reduced appropriations from General Revenue Fund	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON STATE SCHOOL MONEYS FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2005 (10 Mo.)	 FY 2006	 FY 2007
SCHOOL DISTRICTS			
<u>Revenues</u> – Income from fines	Unknown	Unknown	Unknown
<u>Costs</u> – Reduced distributions from State School Moneys Fund	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON SCHOOL DISTRICTS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

DESCRIPTION

This proposal requires that beginning August 28, 2004, two members of the Highways and Transportation Commission (MHTC), one from each opposing political party, who have the most seniority in commission service will be elected by the commission, one to serve as chair and the other as vice chair. Effective March 1, 2005, the commission will then elect for a one-year term a chair and vice chair from the two members, one from each opposing political party, who have the most seniority in commission service. At the end of the one-year term, the chair and vice chair will switch their positions. Thereafter, the commission leadership will continue to rotate accordingly. Reappointed members may only serve as chair or vice-chair during the final two years of the reappointment.

The proposal contains provisions for filling vacancies due to removal, death, or resignation, or refusal to serve in leadership positions.

This proposal directs the MHTC, courts, commissioners, and juries to consider the restriction of or loss of access to any adjacent highway as an element of assessing damages in cases involving the taking of real estate by eminent domain.

This proposal requires that annual report to the Joint Committee on Transportation include an inventory of the property under review for disposal and land necessary for future use that is owned by the Department of Transportation and a description of all real estate transactions by the department for the preceding state fiscal year. This information will include the date of each transaction, the source of revenue used, and the allocation of any income produced by the real estate.

This act amends commercial zone restrictions to allow vehicles to operate at a greater weight and height by extending the Kansas City commercial zone.

This act increases the amount of administrative service fees third-class may impose upon county road and bridge funds, county park funds, and any specific capital improvements funds from 3% to 5%. Also included is a requirement that any petition to disincorporate a road district be presented to a county commission or similar authority. Such a petition must be signed by the lesser of 50 or a majority of the registered voters residing within the district.

This act mandates additional fines for repeat traffic violations in construction or roadway work zones and makes changes to the enforcement of seat belt usage requirements in automobiles. Currently, law enforcement officers cannot stop, inspect, or detain any person solely because he or she failed to wear a properly adjusted and fastened seat belt. The proposed legislation would allow law enforcement officers to stop a person for a seat belt violation if the violation is clearly

DESCRIPTION (continued)

visible to the officer without stopping the vehicle. Drivers in violation could be assessed a fine of \$15. Currently, the fine cannot exceed \$10.

This acts defines and set regulations for “local log trucks.”

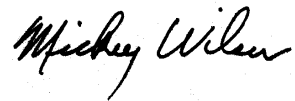
This act names the following portions of roadway:

- U.S. Route 67 in St. Francois County between State Route 8 in Desloge and State Route 32 in Leadington the as the “Deputy Steven R. Ziegler Memorial Highway,” with funds for signage provided by private donations.
- State Route 51 in Perry County from Interstate Highway 55 to U.S. Highway 61 as the “Thomas G. Tucker, Jr. Memorial Highway.”
- Interstate 70 in west-central Missouri as the “U.S. Submarine Veterans’ Memorial Highway,” with funds for signage provided by the Submarine Veterans’ Association.
- State Highway J in Lincoln County between its junctions with State Highway 47 and State Highway U as the “Veterans Highway.”
- State Route 364 in St. Louis County from Interstate 270 to the Veterans’ Memorial Bridge as the “Buzz Westfall Memorial Highway.”
- The U.S. Route 249 bypass in Jasper County from Newman Road to U.S. 171 as the “Earl Carr Memorial Highway,” with funds for signage provided by the City of Joplin.
- The portion of U.S. 71 from Iris Road to State Highway 86 in Newton County as the “James W. Minton, Jr. Memorial Highway.”

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

Department of Transportation
Office of State Courts Administrator
Department of Public Safety – Missouri State Highway Patrol
Department of Public Safety – Missouri Veterans Commission
Office of Administration – Division of Budget and Planning
Office of Prosecution Services
State Public Defender's Office



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