

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1532-06
Bill No.: SS for SCS for HB 487 with SA1, SA2, SA3 & SA4
Subject: Emergencies; Law Enforcement Officers and Agencies; Motor Vehicles.
Type: Original
Date: May 4, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
General Revenue	Up to \$40,169	Up to \$48,478	Up to \$48,478
Total Estimated Net Effect on General Revenue Fund	Up to \$40,169	Up to \$48,478	Up to \$48,478

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 17 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Secretary of State (SOS)** assume there would be costs due to additional publishing duties related to the Department of Revenue's authority to promulgate rules, regulations, and forms. SOS estimates the division could require approximately 20 new pages of regulations in the Code of State Regulations at a cost of \$27.00 per page, and 30 new pages in the Missouri Register at a cost of \$23.00 per page. Costs due to this proposal are estimated to be \$1,230, however, the actual fiscal impact would be dependent upon the actual rule-making authority and may be more or less. Financial impact in subsequent fiscal years would depend entirely on the number, length, and frequency of the rules filed, amended, rescinded, or withdrawn. SOS does not anticipate the need for additional staff as a result of this proposal, however, the enactment of more than one similar proposal may, in the aggregate, necessitate additional staff.

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.

ASSUMPTION (continued)

§§43.530, 136.055, 168.133, 302.177, 302.272, 302.735, Section 1, Section 2 – School Bus Drivers

Officials from the **Department of Elementary and Secondary Education (DESE)** assume there are currently 21,971 CDL licensed drivers with a school bus permit. Approximately 40% of school buses are operated by contractors; therefore, DESE estimates 13,193 district-operated drivers and 8,799 contracted drivers would be required to switch to DESE's fingerprint/background check service instead of DOR's. DESE would require 2.0 FTE Administrative Assistants (each at \$26,232 per year) to process the additional workload. DESE estimates the cost of the proposal to be approximately \$73,000 in FY 06; \$83,000 in FY 07; and \$85,000 in FY 08.

In addition, DESE assumes the provisions in Section 1 of the proposal would require each school district to maintain on file a statement from a medical examiner which indicates the driver is physically qualified to operate a school bus for the purpose of transporting pupils. Such statement shall be made annually and shall apply to drivers employed by the school district or under contract with the school district.

DESE further assumes Section 2 of the proposal requires each school district to provide training in at least 8 hours of duration to each school bus driver employed by the district or under contract with the district.

DESE assumes the provisions in Sections 1 and 2 would result in Unknown costs to local school districts.

Oversight assumes the Department of Elementary and Secondary Education (DESE) would require no FTE based upon Truly Agreed To and Finally Passed CCS for SS for SCS for HS for HCS for HB 1463 from the 2004 Session (LR # 2427-15), where DESE requested no FTE to process an estimated 118,718 background checks of pupil-contact individuals. If DESE experiences an increase that would justify additional FTE, they could request funding through the appropriation process.

In response to a previous version of this proposal, officials from the **St. Louis Public Schools** assumed the proposal would not fiscally impact their agency.

Officials from the **Department of Transportation (MoDOT)** assume there would be an increase in revenue from the annual examination fees (currently every 3 years) for drivers over 70 years of age. MoDOT also assumes the removal of the \$3 school bus endorsement would result

ASSUMPTION (continued)

in a decrease in revenue. MoDOT also assumes the language requiring drivers that are 70 years of age or older to pay an annual fee of \$7.50 for a school bus endorsement would result in an increase in revenue.

MoDOT is unable to provide an estimate for these revenue impacts and defer to the Department of Revenue.

Officials from the **Department of Revenue (DOR)** assume the proposal would repeal the DOR requirement to issue school bus permits, transfer the background check process from DOR to the school districts, and provide flexibility in determining driver license fees/expiration date.

DOR will incur Programming costs as follows:

DOR assumes this legislation will require changes and testing for the Over the Counter (OTC) driver license issuance system. Additionally, changes and testing will be required for the systems that support the OTC system. Those supporting systems are the Missouri Driver License (MODL) system, the Central Driver License Information System (CDIS), and the Missouri Transportation Accounting System (MTAS).

DOR assumes this legislation will also require minor changes for the Correspondence Tracking and Generation (CTG) system. Changes to the CTG system would be handled with current resources.

Costs for programming and testing will be incurred through the DOR's existing resources.

DOR will have changes in forms:

This legislation will require changes to the Missouri Driver Guide, the Uniform License Issuance Manual (ULIM), form DOR-4445, and the Department of Revenue web site. Changes to the Missouri Driver Guide would be incorporated at the next reorder point; therefore no cost would be incurred. DOR-4445 would require existing stock to be destroyed and new forms printed, at a cost of \$225. Cost for changes to the ULIM and web site would be minimal, and therefore would be handled with current resources.

DOR also assumes there would not be significant training required, and therefore would be handled with current resources.

ASSUMPTION (continued)

§144.025 – Motor Vehicle Licensing

Officials from the **Department of Transportation (MoDOT)** assume the removal of the notarized bill of sale requirement may allow more individuals to take advantage of the sales tax reductions. There would be a decrease in revenue from the reduction of sales tax. MoDOT is unable to provide an estimate for this section. MoDOT will defer to the Department of Revenue to estimate any impact.

Officials from the **Department of Revenue (DOR)** assume this section would simply eliminate the notary requirement on trade-in credit bills-of-sale. This proposal streamlines the process for the citizen and the department. Implementation can be administered with existing resources.

§227.363 – Richard L. Harriman Highway

Officials from the **Department of Transportation (MoDOT)** assume the costs for this designation shall be paid by private donations, therefore, there will be no fiscal impact to MoDOT.

§§301.020, 301.190 – Salvage Vehicles

Officials from the **Department of Revenue (DOR)** assume these sections provide that if an insurance company pays a claim on a salvage vehicle and the insured is retaining ownership of the vehicle, as prior salvage, and the vehicle has sustained only cosmetic damage, and reconstruction or rebuilding is not being made, the vehicle will not be subject to the 551 examination conducted by the Highway Patrol in order to obtain a title. This would require procedural changes and can be implemented with existing resources.

In response to a previous version of this proposal, officials from the **Department of Insurance** assumed this proposal would not fiscally impact their agency.

In response to a similar proposal from this year (HB 690), officials from the **Department of Public Safety - Missouri Highway Patrol** assume no fiscal impact from this part of the proposal.

ASSUMPTION (continued)

§301.025 – Proof of Payment of Personal Property Taxes

Officials from the **Department of Revenue (DOR)** assume this section requires an applicant for registration to show that all taxes have been paid or a statement certified by the county or township collector for such previous year that no taxes were assessed or due and the applicant has no unpaid taxes on the collector's tax roll for any subsequent year. DOR assumes no impact.

§301.129, 301.130, & 301.290 – Motor Vehicle License Plate Re-Issuance

Officials from the **Department of Transportation (MoDOT)** assume the additional fees to cover the cost of the newly reissued plates in Section 301.130 would go to the Department of Revenue and the Department of Revenue would bear the cost to produce the new plates.

In response to a similar proposal from this year (HCS for HBs 591, 210, 377, 760, & 777), officials from the **Department of Corrections (DOC)** assumed the changes to Sections 301.129 and 301.290 would allow MO Vocational Enterprises to continue in business as usual for two more years.

Officials from the **Department of Revenue (DOR)** assume these sections delay the motor vehicle license plate re-issuance. The advisory group would provide recommendations by January 1, 2007, re-issuance would begin January 1, 2009, and tab changes would be effective January 1, 2010. This will shift the cost of plate re-issuance indicated in the fiscal note for CCR HS SS SCS SB 1233 from the 2004 Session (2561-18T) to fiscal years 2007, 2008, 2009 and 2010. The cost of re-issuance shown in that fiscal note will be increased/decreased based on the increased/decreased cost per plate at the time of re-issuance.

§301.215 – Debtor Notification

Officials from the **Department of Revenue (DOR)** assume the changes would no longer require DOR to notify debtors or any outstanding lienholders of a pending repossessed title application. This would require procedural changes and can be implemented with existing resources.

§301.300 & 301.894 – Titles

Officials with the **Department of Revenue (DOR)** assume this proposal will require procedural changes, notification to dealers and a form modification. DOR assumes it can utilize existing resources to implement this proposal.

ASSUMPTION (continued)

§301.301 & 301.302 – Stolen Licenes Tabs

Officials with the **Department of Revenue (DOR)** assume this proposal allows an additional set of free license plate tabs. Current statute allows only one set. It also ensures that a citation will not be issued if a check of the person's vehicle registration reveals that the vehicle is properly registered. DOR assumes the implementation of this part of the proposal could be handled with existing resources.

In response to a similar proposal from this year (SB 378), DOR's Driver and Vehicle Services Bureau (DVSB) indicated that it issued 1,145 replacement tabs due to stolen tabs (accompanied by a police report) at no fee for FY04. In addition, DVSB issued 24,838 replacement tabs to individuals that indicated that tabs were stolen, but did not obtain a police report. DVSB indicates that the costs of obtaining a police report often exceed the \$8.50 replacement fee levied by DOR.

DOR assumed that allowing an individual up to four license plate tabs per year will decrease revenue; however, DOR doesn't track the number of tabs that are applied for by the same individual. Thus, a precise amount of decreased revenue cannot be determined.

Considering the number of vehicle registrants that currently obtain police reports for stolen tabs, **Oversight** assumes that any revenue loss resulting from this part of the proposal would not exceed \$10,000.

Constitutional Amendment 3 (2004) authorizes 3% of highway funds to be used to offset the actual cost to collect such funds by DOR.

For purposes of this fiscal note, DOR assumes all costs will be appropriated from the General Revenue Fund. Through the appropriations process, the General Assembly may appropriate the constitutionally permissible Highway Fund amounts to offset the General Revenue Fund cost shown in this fiscal note.

§302.510, 302.530 & 577.041 – Administrative Driving While Intoxicated changes

Officials from the **Office of the State Courts Administrator** assume the proposal would not fiscally impact the courts.

In response to a similar proposal from this year (HB 641) officials from the **Department of Transportation** assumed the proposal would not fiscally impact their agency.

ASSUMPTION (continued)

Officials from the **Department of Revenue (DOR)** assume this will create a FTE cost savings of \$2,006 in fiscal year 06, due to the reduction in the number of rejected Alcohol Influence Reports (AIRs) that have to be processed. DOR estimates the cost avoidance by not processing rejected AIRs to be approximately \$2,000 in FY06 and approximately \$2,600 in FY07 and FY08.

DOR assumes the provisions in Section 302.530.1 will create a cost savings of approximately \$800 in FY06 and a cost savings of approximately \$900 in FY07 and FY08 due to the reduction in the number of rejected hearing requests that have to be processed.

DOR assumes the provisions in Section 302.530.6 will create a cost savings of approximately \$3,500 in F06 and a cost savings of approximately \$4,300 in FY07 and FY08 due to the reduction in processing time of mailing the hearing decision by certified mail.

DOR assumes the proposal will provide a cost avoidance by reducing the number of Alcohol Influence Reports (AIRs) rejected due to the report not being notarized. The estimated cost avoidance would be approximately \$1,700 in FY06 and approximately \$2,000 for FY07 and FY08.

DOR assumes the provisions in Section 302.530.1 would result in a cost avoidance by reducing the number of hearing requests rejected due to the driver license not being surrendered. The estimated cost avoidance for FY06 would be \$640. The estimated cost avoidance for FY07 and FY08 would be \$770.

DOR assumes the provisions in Section 302.530.6 would produce an estimated cost avoidance of \$29,000 for FY06 and an estimated cost avoidance for FY07 and FY 08 of \$35,000.

In summary, DOR assumes a cost avoidance (to General Revenue) from this portion of the proposal of \$40,169 in FY 2006 and \$48,478 in both FY 2007 and FY 2008.

§304.022 – Capitol Police

In response to a previous version of this proposal, officials from the **Department of Public Safety - Capitol Police** and the **Jefferson City Police Department** each assumed the proposal would not fiscally impact their respective agencies.

SENATE AMENDMENT 4 - §301.567 – Disclaimer

In response to a similar proposal from this year (SB 390), officials with the **Department of**

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ASSUMPTION (continued)

Public Safety, Department of Revenue and Department of Economic Development each assumed this part of the proposal would have no fiscal impact on their respective agencies.

Oversight assumes this amendment gives vehicle dealers the option of providing disclaimers via Internet or toll-free numbers, and that the proposal would have no fiscal impact on the state.

In response to a similar proposal from this year (SB 390), officials with the **Attorney General's Office** assumed that any potential costs arising from this proposal can be absorbed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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GENERAL REVENUE

<u>Savings</u> – Department of Revenue From Sections 302.510, 302.530 & 577.041	\$40,169	\$48,478	\$48,478
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<u>Loss</u> – Department of Revenue Tab Replacement Fees (Sections 301.301 & 301.302)	<u>Up to (\$10,000)</u>	<u>Up to (\$10,000)</u>	<u>Up to (\$10,000)</u>
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ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>Up to \$40,169</u>	<u>Up to \$48,478</u>	<u>Up to \$48,478</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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POLITICAL SUBDIVISIONS

<u>Costs</u> – Local School Districts Administrative Costs (Sections 1 & 2)	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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FISCAL IMPACT - Small Business

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

DESCRIPTION

This substitute makes several changes with respect to the titling and registration of motor vehicles as well as the licensing of drivers.

CAPITOL POLICE - This act adds Missouri Capitol Police vehicles to the definition of "emergency vehicle" for purposes of yielding the right-of-way (Section 304.022). The substitute also authorizes Missouri Capitol Police officers to investigate and arrest a person anywhere in the state when there is probable cause to believe the person committed a crime within their jurisdiction or when a crime is committed in their presence (Section 8).

RICHARD L. HARRIMAN HIGHWAY - The substitute designates a portion of state route H in Clay County shall be the "Richard L. Harriman Highway" with costs for such designation to be paid by private donations (Section 227.363).

BICYCLE SAFETY;

Section 300.330 - Prohibits blocking or obstructing a designated bicycle lane with a parked or standing motor vehicle or other stationary object. The act establishes standards for motorists crossing bicycle lanes. The proposal defines a designated bicycle lane as a portion of the roadway or highway which has been designated by the governing body having jurisdiction over the roadway by striping, signing and pavement markings for the preferential or exclusive use of bicycles.

Section 300.411; 304.678 - When passing a bicyclist or pedestrian, a motorist is required to leave a safe distance between the motor vehicle and the bicycle.

Section 307.180 - Modifies the definition of bicycle to include vehicles propelled by human power having two parallel wheels and one forward or rear wheel, all of which are more than 14" in diameter.

Section 307.191 - Provides that bicycles operating at less than the posted speed limit or slower than the flow of traffic may be operated on the shoulder adjacent to the roadway.

Section 307.192 - Provides that a bike rider shall signal in the same manner as other vehicles

DESCRIPTION (continued)

except that the rider does not have to continuously signal by hand and arm if the hand is needed for the control or operation of the bicycle.

LOG TRUCK - Under this act, harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck.

CRIMINAL BACKGROUND CHECK BY SCHOOL DISTRICTS RATHER THAN DEPARTMENT OF REVENUE - Under this act, school districts shall be responsible for conducting criminal background checks for school bus drivers. Drivers may continue to operate school busses pending the results of the background check (Section 168.133). The Department of Revenue will no longer be responsible for obtaining criminal background checks or for collecting fingerprints from school bus operators (Section 43.530.2). The act provides that each school district shall have on file a statement from a medical examiner which indicates that the driver is physically qualified to operate a school bus for the purpose of transporting pupils. Such statement shall be made on an annual basis. For new drivers, such statement shall be on file prior to the driver's initial operation of a school bus. This provision applies to drivers employed by the school district or under contract with the school district (Section 1). On an annual basis, each school district shall provide training in at least eight hours of duration to each school bus driver employed by the school district or under contract with the school district. Such training shall provide special instruction in school bus driving (Section 2).

SCHOOL BUS LICENSE ENDORSEMENT - This act modifies the current law regarding school bus endorsements (Section 302.272). School bus examinations for drivers 70 years of age or older must be completed annually. Out-of-state residents will be exempt from Missouri's school bus endorsement requirements if the person possesses a valid driver's license and a school bus endorsement from their state of residence.

FEE OFFICE FEES - This act provides that a fee office may charge a fee of \$2.50 for instruction permits, nondriver licenses, chauffeur licenses and driver's licenses issue for three years or less. A \$5.00 fee may be charged for licenses or instruction permits exceeding three years in length. The current law allows a fee office to impose a \$5.00 fee regardless of the length of term (Section 136.055).

CREDIT FOR TRADE-IN - This act provides that the bill of sale that a person must submit to the Department of Revenue to claim a trade-in sales tax exemption does not have to be notarized (Section 144.025).

DESCRIPTION (continued)

PRIOR SALVAGE VEHICLE - This act provides that if an insurance company pays a claim on a salvage vehicle and the insured is retaining ownership of the vehicle, as prior salvage, the vehicle will not be subject to the in-depth Highway Patrol inspection in order for a title to be obtained (Section 301.020.4 and section 301.190.10). This portion of the act is similar to SB 488 (2005).

PROOF OF PAYMENT OF PERSONAL PROPERTY TAXES - This act modifies the provision of law regarding supplying proof that a person has paid his or her personal property taxes. Under this act, an applicant for a motor vehicle registration can supply proof by submitting a statement certified by a county or township collector for the previous year that no taxes were assessed or due and the applicant has no unpaid taxes on the collector's tax roll for any subsequent year (Section 301.025).

LICENSE PLATE DESIGN ADVISORY COMMITTEE - This act changes the date in which the advisory committee to study a new license plate design must meet. Under the current law, the committee must meet prior to April 1, 2006, to develop the new plate and the final design was due by that date. The act establishes a new date of January 1, 2007 (Section 301.129).

LICENSE PLATE TABS AND LICENSE PLATE REISSUANCE - The act revises the date in which the Department of Revenue must issue license plate tabs that include information to assure that the tabs correlate with the correct license plates. The current law dictates a date of January 1, 2009, while the act establishes a date of January 1, 2010 (Section 301.130.6). The act also changes the date in which new license plate must be reissued. Under the current law, new license plates were to be reissued between January 1, 2007, and December 31, 2009. The new reissuance period is between January 1, 2009, and December 31, 2011 (Section 301.130.9). Under this act, the department of corrections will no longer erect and maintain tabs beginning January 1, 2010. The current law provides that this task was to end on January 1, 2009 (Section 301.290).

REPOSSESSED TITLE - This act modifies the procedure for obtaining a "Reposessed Title". Under the current law, a lienholder must submit an application describing the reposessed vehicle, an affidavit stating that the debtor defaulted and a copy of the security agreement. Under the act, the lienholder does not have to submit a copy of the security agreement, but must state in the affidavit that the lienholder has obtained written consent of all lienholders of record to repossess the vehicle or has provided all lienholders with written notice of the repossession. The lienholder must also give the owner and lienholders 10 days written notice that an application for a reposessed tile will be made. Under the current law, if the application is not accompanied by the written consent of lienholders, the department of revenue will not issue a reposessed title unless the department first gave such parties 10 days notice (Section 301.215).

DESCRIPTION (continued)

MOTOR VEHICLE TRANSACTIONS WITHOUT CONTEMPORANEOUS EXCHANGE OF TITLE - This act allows a motor vehicle dealer to purchase, or accept as a trade in, and later sell, a motor vehicle without a title from a seller provided certain procedures are followed. Under this act, a vehicle dealer may obtain a duplicate or replacement title in the owner's name if the owner's title has been lost, stolen, mutilated, or destroyed and is not available for assignment. The licensed dealer must procure a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf. The application to the department of revenue for the duplicate or replacement title shall be accompanied by the executed power of attorney, or a copy thereof, and the application shall contain the appropriate mailing address of the dealer. Under current law, only the lawful holder of the title (owner) may obtain a duplicate or replacement title (section 301.300). Under this act, a dealer may purchase, or accept as a trade in, a vehicle without a title if the seller provides the dealer the following:

- (1) A signed written contract between the licensed dealer and the owner of the vehicle; and
- (2) Physical delivery of the vehicle to the licensed dealer; and
- (3) A power of attorney from the owner to the licensed dealer, authorizing the licensed dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf.

If these steps are followed, the sale or trade of the vehicle to the dealer shall be consider final.

If a licensed dealer purchases the vehicle from the seller in conformance with this act, the licensed dealer may sell the vehicle prior to receiving and assigning to the purchaser the certificate of title. The sale of the vehicle to the purchaser shall be considered final if:

- (1) All outstanding liens created on the vehicle have been paid in full; and
- (2) The dealer has obtained proof or other evidence from the department of revenue confirming that no outstanding child support liens exist upon the vehicle at the time of sale; and
- (3) The dealer has obtained proof or other evidence from the Department of Revenue confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the owner; and
- (4) The dealer has signed and submitted an application for duplicate or replacement title for the vehicle.

DESCRIPTION (continued)

A licensed dealer shall, within five business days of obtaining a vehicle without a title, apply for a duplicate or replacement title. Upon receipt of a duplicate or replacement title, the dealer shall assign and deliver said certificate of title to the purchaser of the vehicle within five business days.

If the dealer fails to comply with this act, the dealer shall be liable to the purchaser for actual damages, plus court costs and reasonable attorney fees. If the dealer fails to assign and deliver the duplicate or replacement certificate of title to the purchaser, then the purchaser, may deliver to the director a copy of the contract for sale of the vehicle and a copy of the application provided by the dealer to the purchaser. The director shall give the dealer notice informing the dealer that the director intends to cancel any prior certificate of title issued to the dealer on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the dealer, within 10 business days from the date of the director's notice, files with the director a written objection to the director taking such action. If the dealer does timely file a written objection with the director, then the director shall not take any further action without an order from a court of competent jurisdiction. However, if the dealer does not timely file a written objection with the director, then the director shall cancel the prior certificate of title issued to the dealer on the vehicle and issue a certificate of title to the purchaser or the vehicle, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle.

If a seller fraudulently misrepresents to the dealer that it is the owner of the vehicle, then the seller shall be liable to the dealer or subsequent purchaser for any damages resulting from such misrepresentation. Prior to seeking court costs or attorney fees authorized under this act, the aggrieved party must deliver an itemized written demand of its actual damages to the party from whom damages are sought and the party from whom damages are sought has not satisfied the written demand within 30 days after receipt of the written demand (section 301.894). These provisions are similar to those contained in SCS/SB 253 (2005) and HB 552 (2005).

STOLEN LICENSE TABS - This bill prohibits law enforcement officers from issuing a citation to any person for a missing license plate tab if a vehicle registration check reveals the vehicle is properly registered and the owner indicates the tab has been stolen. Officers may instead issue a warning under these circumstances. If a citation is improperly issued, any court costs will be waived (Sections 301.301 & 301.302).

DRIVING WHILE INTOXICATED - This part of the proposal requires police reports of alcohol-related traffic offenses to be certified, rather than verified, when sent to the Department of Revenue. The department is allowed to notify a person by first-class mail regarding the

DESCRIPTION (continued)

outcome of a license suspension or a revocation hearing. Currently, the department must notify a person by certified mail (Section 302.510, 302.530 & 577.041).

DRIVER LICENSE PROVISIONS - The act reorganizes the language contained in section 302.177 for readability regarding the issuance of six-year and three-year licenses, their respective fees, and that licenses will expire on the applicant's birthday unless licensed for a shorter period due to other requirements of law (Section 302.177). The act clarifies that CDLs issued to 21 to 69 year old individuals shall expire on the 6th year after issuance unless the license must be issued for a shorter period due to other requirements of law or for staggering of work. For individuals under 18, or for those 70 years of age or older, the license shall expire the 3rd year after issuance unless the license must be issued for a shorter period due to other requirements of law (Section 302.735). The act provides that a CDL containing a hazardous materials endorsement issued to a person 70 years of age or older shall not be issued for a period exceeding three years.

The Senate Substitute adds that effective December 19, 2005, the Department of Revenue may issue a nonresidential commercial driver's license to a resident of a foreign jurisdiction if the US Secretary of Transportation has determined that the commercial motor vehicle testing and licensing standards in the foreign jurisdictions (not including the 50 states, Canada or Mexico) do not meet the testing standards.

TOWING - The Substitute authorizes law enforcement officers to authorize an abandoned vehicle to be towed immediately if determined to be a safety hazard (Section 304.155).

SOLID WASTE DISPOSAL TRUCKS - Substitute allows solid waste disposal trucks that travel between the city and a solid waste disposal area or solid waste processing facility may operate with a weight not to exceed 22,400 pounds on one axle, or 44,800 on any tandem axel (Section 304.184).

JURISDICTION OF REGIONAL TAXICAB COMMISSION - This act clarifies the jurisdiction of the regional taxicab commission. Under this act, the regional taxicab commission may exercise jurisdiction over any person who engages in the business of transporting passengers in commerce, wholly within the regional taxicab district, in any motor vehicle designed or used to transport not more than eight passengers including the driver.

DESCRIPTION (continued)

The jurisdiction of the regional taxicab commission shall not apply to:

- (1) Operators who are required to be licensed, supervised and regulated by the state highways and transportation commission. The regional taxicab commission's jurisdiction shall not extend to motor vehicles transporting passengers within the district in interstate commerce, and those interstate operations are subject to the powers of the state highways and transportation commission;
- (2) Motor vehicles that are operated exclusively by not-for-profit corporations or governmental entities, whose operations within the regional taxicab district are subsidized, wholly or in part, with public transit funding (federal or state);
- (3) Vehicles that transport one or more passengers upon the public highways in a continuous journey from a place of origin within the regional taxicab district to a destination outside the district, or from a place of origin outside the district to a destination within the district, either with or without a return trip to the point of origin.

Every person, partnership or corporation who becomes subject to the jurisdiction of the regional taxicab commission which was previously under the jurisdiction (through permit or certificate) of the state highways and transportation commission is deemed to be licensed, permitted and authorized by the regional taxicab commission, and the vehicles and drivers used by such motor carriers are hereby deemed to be licensed, permitted and authorized by the regional taxicab commission to operate and engage in the transportation of passengers within the regional taxicab district, to the same extent as they were formerly licensed, permitted and authorized by the highways and transportation commission on August 27, 2005. Such motor carriers, drivers and vehicles are exempt from applying for any license, certificate, permit or other credential issued or required by the regional taxicab commission, except that the regional taxicab commission may, after December 31, 2005, require such motor carriers and drivers to apply and pay the regular fees for annual renewals of such licenses, permits, certificates or other credentials, pursuant to uniform requirements applicable to all motor carriers, vehicles and drivers operating within the regional taxicab district (Section 67.1809).

SENATE AMENDMENT 3 - exempts from personal property taxes motor vehicles leased for a period of at least 1 year to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes.

DESCRIPTION (continued)

SENATE AMENDMENT 4 - allows vehicle dealers to provide disclaimers and disclosures by referring to the Internet and a toll-free number.

This act contains an emergency clause for the school bus and commercial driver license provisions.

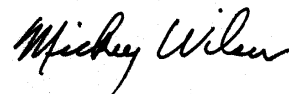
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education
Department of Transportation
Department of Corrections
Department of Revenue
Department of Public Safety
Office of the Secretary of State
Office of the Attorney General
Office of the State Courts Administrator
Department of Insurance
Department of Economic Development
St. Louis Public Schools
Jefferson City Police Department

NOT RESPONDING

Columbia Public Schools, Kansas City Public Schools, Mexico Public Schools, City of St. Louis, St. Louis County



Mickey Wilson, CPA
Director
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