

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3183-03
Bill No.: HCS for HB 1135
Subject: Kansas City; Roads and Highways.
Type: Original
Date: March 24, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds			

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue** assume the proposal would not fiscally impact their agency.

Officials from the **Department of Transportation** assume this legislation expands the commercial zone to the area that extends east from the city limits of Missouri City along State Route 210 and northwest from the intersection of State Route 210 to State Route 10 and to include the boundaries of Excelsior Springs. It also further expands the commercial zone throughout St. Charles County.

Officials from the cities of **Kansas City, Excelsior Springs** and **Missouri City** as well as the counties of **Clay** and **Ray** did not respond to our request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<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

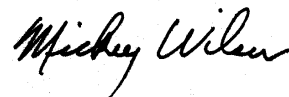
This proposal extends the commercial zone around Kansas City eastward along State Route 210 to the intersection with State Route 10, then northwesterly along State Route 10 to include the municipal boundaries of the City of Excelsior Springs. It also expands the commercial zone throughout St. Charles County.

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
Department of Revenue

Not Responding: Kansas City, Excelsior Springs, Missouri City, Clay County and Ray County



Mickey Wilson, CPA
Director
February 17, 2006

S & W Newsletter Issue # 2

1. Proposed Changes to State Size and Weight Rules - Penalties

From time to time, States and local political bodies propose changes to laws or regulations affecting: commercial vehicle weight or size limits; roadway or time-of-day access; or reasonable access to terminals, etc.

This year, we've had several notifications from a number of you about these pending actions, as well as suggested corrective action. We appreciate that timely notice, as some of these proposals, if enacted, would conflict with Federal statutes or regulations.

For many of you, there is a question when these proposals surface: what's the relevant Federal penalty, given the proposed action? The answer depends upon whether it is commercial vehicle weight or size that is involved.

§ Weight: As you know, States are required to adopt and enforce 4 Federal weight standards on the Interstate System: the single-and tandem-axle limits, the bridge formula limit, and the overall gross vehicle weight limit. Of course – and this is no surprise -- many States also have “grandfather” rights to exceed one or more of these limits. (Please note that these are established by date: most grandfather rights are fixed as of July 1, 1956. By contrast, State bridge formulas or axle spacing tables are fixed as of January 4, 1975.)

The penalty for violating these limits is the withholding of a State's entire National Highway System (NHS) apportionment, as prescribed in 23 U.S.C. 172(a), and implemented in 23 CFR 658.21, “Procedures for reduction of funds.”

Here's the critical point: A State is subject to loss of all its NHS funds for weight violations if its laws or regulations establish weight limits for commercial motor vehicles operating on the Interstate System that are either higher or lower than the four Federal weight standards mentioned above. The only exception relates to changes affecting established grandfather limits: although a State may not set weight limits above a grandfathered maximum, it may set them below the maximum, provided such a limit is not below the corresponding Federal standard.

§ Size: Generally, States are required to adopt and enforce 3 Federal size standards applicable to the National Network (i.e., the Interstate System, plus those highways, identified to FHWA by the States in 23 CFR 658, Appendix A, as capable of safely handling STAA vehicles): (1) the maximum width limit of 102”; (2) certain semitrailer length limits; and (3) various maximum length limits on two or more cargo units. A State that violates these limits, or the implementing regulations, is subject to a civil action in Federal district court for injunctive relief, in accordance with 49 U.S.C. 31115, “Enforcement.” The action will be brought by the Department of Justice on behalf of the Federal Highway Administration.