

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 7337H.04C  
 Bill No.: HCS for HB 3491  
 Subject: Motor Vehicles; Motor Carriers; Licenses - Driver's  
 Type: Original  
 Date: March 19, 2026

Bill Summary: This proposal modifies commercial drivers' license requirements for foreign applicants.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue	(\$55,615 to Unknown)	(\$136,146 to Unknown)	(\$185,158 to Unknown)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$55,615 to Unknown)</b>	<b>(\$136,146 to Unknown)</b>	<b>(\$185,158 to Unknown)</b>

\*DOC notes that current capacity will be met by July 2029 (FY 2030) or potentially much sooner. Therefore, Oversight has made the decision to reflect the marginal cost of incarceration up to an unknown cost if DOC needs to add staff and/or rehabilitate, expand or construct additional capacity. Oversight assumes the unknown cost has the potential to exceed \$250,000.

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

**ESTIMATED NET EFFECT ON FEDERAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

**ESTIMATED NET EFFECT ON LOCAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §§302.733, 302.735, 302.738 & 302.739 – Commercial Driver’s Licenses

Officials from the **Missouri Office of Prosecution Services** did not respond to **Oversight’s** request for fiscal impact for this proposal.

Officials from the **Department of Corrections (DOC)** assume this proposal modifies commercial drivers’ license requirements for foreign applicants.

Section 302.738 creates a class A misdemeanor for a first offense or second offense and a class D felony offense of unlawful commercial motor vehicle operation when it is the offenders’ third or subsequent offense. If the offense is discovered after a major violation of traffic law, it is a class D felony.

As misdemeanors fall outside the purview of DOC, there is no impact to DOC for the offense resulting in the class A misdemeanor. The offense resulting in two class D felonies would be considered new crimes. As these are new crimes, there is little direct data on which to base an estimate, and as such, the department estimates an impact comparable to the creation of two new class D felonies.

For each new nonviolent class D felony, the department estimates three people will be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, with 1.7 years to first release. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 16 additional offenders in prison and 32 additional offenders on field supervision by FY 2029.

	# to prison	Cost per year	Total Costs for <b>prison</b>	Change in probation & parole officers	Total cost for <b>probation and parole</b>	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	6	(\$11,123)	\$ 55,615	0	\$0	10	\$ 55,615
Year 2	12	(\$11,123)	\$ 136,146	0	\$0	20	\$ 136,146
Year 3	16	(\$11,123)	\$ 185,158	0	\$0	32	\$ 185,158
Year 4	16	(\$11,123)	\$ 188,861	0	\$0	38	\$ 188,861
Year 5	16	(\$11,123)	\$ 192,638	0	\$0	44	\$ 192,638
Year 6	16	(\$11,123)	\$ 196,491	0	\$0	44	\$ 196,491
Year 7	16	(\$11,123)	\$ 200,421	0	\$0	44	\$ 200,421
Year 8	16	(\$11,123)	\$ 204,429	0	\$0	44	\$ 204,429
Year 9	16	(\$11,123)	\$ 208,518	0	\$0	44	\$ 208,518
Year 10	16	(\$11,123)	\$ 212,688	0	\$0	44	\$ 212,688

The department will assume a marginal cost (multiplied by number of offenders) for any projected increase or decrease in the incarcerated population. Marginal cost is \$30.47 per day or an annual cost of \$11,123 per offender which includes costs such as medical, food, wages and operational E&E. The unknown amount is a result of the uncertainty in the growth of the underlying offender population. The impact of any new legislation combined with the growth of the underlying population could result in the tiered approach below in order to meet the population demands.

1. Fully staffing the current capacity (27,368), which is habitable, but DOC does not have the staffing resources for all bed space.
2. Rehabilitating current space that is not currently habitable and obtaining staffing resources for that space (requires capital improvements).
3. Expanding new capacity by adding housing units or wings to existing prisons and obtaining staffing resources for that space (requires capital improvements).
4. Constructing a new prison and obtaining staffing resources. Based on current construction projects in other Midwest states, the department estimates the cost of constructing a new 1,500-bed maximum security prison at approximately \$825 million to \$900 million plus annual operating costs of approximately \$50 million (requires capital improvements).

The department's population projections indicate current physical capacity will be met by July 2029; however recent trends indicate that capacity could be met much sooner. Should new construction be the result of the increasing offender population, the full cost per day per offender would be used which is \$106.96 or an annual cost of \$39,040. This includes all items in the marginal cost calculation plus fringe, personal service, utilities, etc.

DOC's cost of probation or parole is determined by the number of P&P Officer II positions that are needed to cover its caseload. The DOC average district caseload across the state is 51 offender cases per officer. An increase/decrease of 51 cases would result in a cost/cost avoidance equal to the salary, fringe, and equipment and expenses of one P&P Officer II. Increases/decreases smaller than 51 offender cases are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases.

\* If this impact statement has changed from statements submitted in previous years, it could be due to an increase/decrease in the number of offenders, a change in the cost per day for institutional offenders, and/or an increase in staff salaries.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by DOC.

In response to a previous version, officials from the **Department of Revenue (DOR)** assumed the suspension provisions in this legislation already exist in state and federal law, as such this legislation will have minimal impact (procedural updates for the new statutory references). This impact will be absorbed.

**Oversight** assumes DOR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DOR could absorb the 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.

Officials from the **Office of the State Public Defender (SPD)** state per the National Public Defense Workload Study, the new charge contemplated by the change to Sections 302.733, would take approximately fourteen hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional attorney. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel, and litigation expenses. However, if the charge was classified as a class D misdemeanor no jail time would be authorized and the cases would not qualify for SPD representation.

Similarly, per the National Public Defense Workload Study, the new charge contemplated by the change to Section 302.738 would take approximately twenty-two hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional attorney. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel and litigation expenses.

However, if the charge was classified as a class D misdemeanor no jail time would be authorized and the cases would not qualify for SPD representation.

**Oversight** assumes this proposal will create a minimal number of new cases and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

Officials from the **Missouri Highway Patrol, Office of the State Courts Administrator, Missouri Department of Transportation, Phelps County Sheriff, Kansas City Police Department, Branson Police Department** and **St. Louis County Police Department** each assume the proposal will have no fiscal impact on their respective organizations.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight notes a violation of the provisions of this proposal results in a misdemeanor or felony charge which carries a fine in addition to any individual county/municipal fees and court costs. The fine revenue for the ticket goes to local school funds and court costs go to various state and local funds. Oversight assumes there will be some (less than \$250,000) amount of fine revenue from violations of the statute. For simplicity, Oversight will not reflect the increased revenue from fines and court costs to various state funds and local political subdivisions.

Below are examples of some of the state and local funds which court costs are distributed to.

	<b>Fee Amount</b>
Basic Civil Legal Services Fund	\$8.00
Clerk Fee	\$15.00 (\$12 State/\$3 County)
County Fee	\$25.00
State Court Automation Fund	\$7.00
Crime Victims' Compensation Fund	\$7.50
DNA Profiling Analysis Fund	\$15.00
Peace Officer Standards and Training (POST) Fund	\$1.00
Motorcycle Safety Trust Fund	\$1.00
Brain Injury Fund	\$2.00
Independent Living Center Fund	\$1.00
Sheriff's Fee	\$10.00 (County)
Prosecuting Attorney and Circuit Attorney Training Fund	\$5.00
Prosecuting Attorney Training Fund	\$5.00 (\$2.50 State/\$2.50 County)
Spinal Cord Injury Fund	\$2.00

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other local law enforcement agencies were requested to respond to this proposed legislation but did not. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>GENERAL REVENUE</b>			
<u>Cost – DOC (\$302.738) Increased incarceration costs p.3-4</u>	(\$55,615 to <u>Unknown</u> )	(\$136,146 to <u>Unknown</u> )	(\$185,158 to <u>Unknown</u> )
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>(\$55,615 to <u>Unknown</u>)</b>	<b>(\$136,146 <u>Unknown</u>)</b>	<b>(\$185,158 to <u>Unknown</u>)</b>

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT – Small Business

Small businesses utilizing commercial vehicles could be impacted as a result of this proposal.

FISCAL DESCRIPTION

This proposal modifies commercial drivers' license requirements for foreign applicants.


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 Corrections  
 Department of Revenue  
 Office of the State Courts Administrator  
 Office of the State Public Defender  
 Missouri Highway Patrol

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Missouri Department of Transportation  
Phelps County Sheriff  
St. Louis County Police Department  
Branson Police Department  
Kansas City Police Department



Julie Morff  
Director  
March 19, 2026



Jessica Harris  
Assistant Director  
March 19, 2026