

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4159H.01I
Bill No.: HB 1614
Subject: Motor Vehicles; Political Subdivisions
Type: Original
Date: March 1, 2022

Bill Summary: This proposal prohibits the state and any political subdivision from regulating certain uses of private property.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Federal Funds*	(Up to \$94,185,000)	(Up to \$94,185,000)	(Up to \$94,185,000)
Total Estimated Net Effect on <u>All</u> Federal Funds	(Up to \$94,185,000)	(Up to \$94,185,000)	(Up to \$94,185,000)

*Potential fiscal impact if Missouri is deemed out of federal compliance.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on FTE	0	0	0

☒ 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 2023	FY 2024	FY 2025
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri Department of Transportation (MoDOT)** assume this legislation could impact Missouri's control of junkyards under Section 136 Title 23 USC, 23 CFR Section 751, and Sections 226.650-226.720 RSMo causing MoDOT to be out of compliance with federal guidelines. Failure to provide effective control of junkyards could cause a 7% reduction of Federal-aid highway funds, which is estimated at \$94,185,000 annually.

2021 Federal Revenue = \$1,345,500,000

7% Penalty Reduction of Federal Aid Highway Funds Annually

$\$1,345,500,000 \times 7\% = \$94,185,000$ annually

In summary, MoDOT assumes a loss of up to \$94,185,000 in federal funds annually to provide for the implementation of the changes in this proposal.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the MoDOT, ranged from \$0 (no federal penalty imposed on Missouri), to MoDOT's estimate.

Officials from the **Department of Commerce and Insurance**, the **Department of Natural Resources**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety's Office of the Director** and **Missouri Highway Patrol**, the **Office of Administration** and the **Missouri Department of Conservation** 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.

Officials from the **City of Kansas City**, the **City of Springfield** and the **Phelps County Sheriff's Office** 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.

In response to similar legislation from 2021, HB 511, officials from the **City of Ballwin**, the **City of O'Fallon**, **St. Louis City** and the **Daviess County Sheriff's Office** each assumed 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 only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, counties and sheriff departments were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
FEDERAL FUNDS			
Loss – MoDOT – out of compliance with federal guidelines relating to private property p.3	<u>\$0 or (Up to \$94,185,000)</u>	<u>\$0 or (Up to \$94,185,000)</u>	<u>\$0 or (Up to \$94,185,000)</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0 or (Up to \$94,185,000)</u>	<u>\$0 or (Up to \$94,185,000)</u>	<u>\$0 or (Up to \$94,185,000)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

There could be a positive unknown fiscal impact to small businesses such as junkyards as a result of this proposal.

FISCAL DESCRIPTION

This bill prohibits the state and any political subdivision of the state from making or enforcing any statute, ordinance, or rule regarding the parking of an unlicensed motor vehicle on private property if the vehicle is wholly within the property boundaries, is parked on a surface suitable for a driveway or parking area, and is not supported by any device other than its own tires unless it is being repaired for a period not to exceed 72 hours.

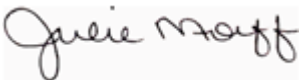
The bill also prohibits the state and any political subdivision from making or enforcing any statute, ordinance, or rule, except for a statute, ordinance, or rule restricting air pollution or noise pollution, that would prohibit or penalize a non-corporate owner or renter of a private, single

family residence from using the residence in a way that does not pose a clear and present danger to the health or safety of the neighbors, or would require a non-corporate owner or renter of a private residence to use the property in a way contrary to the wishes of the owner or renter.

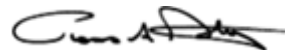
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Missouri Department of Transportation
City of Kansas City
City of Springfield
Department of Commerce and Insurance
Department of Natural Resources
Department of Labor and Industrial Relations
Department of Revenue
Department of Public Safety
Missouri Department of Conservation
Office of Administration
Phelps County Sheriff's Office
City of Ballwin
City of O'Fallon
St. Louis City
Daviess County Sheriff's Office



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March 1, 2022



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Assistant Director
March 1, 2022