

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2094-01
Bill No.: HB 945
Subject: Motor Vehicle; Motor Carriers; Funerals and Funeral Directors
Type: Original
Date: April 12, 2011

Bill Summary: This proposal will add motor vehicles owned by a licensed funeral establishment used to provide funeral services to the list of vehicles excluded from the motor carrier provisions of Chapter 390.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Motor Carrier Safety Assistance Program Funds	(\$4,400,000)	(\$4,400,000)	(\$4,400,000)
Total Estimated Net Effect on <u>All</u> Federal Funds	(\$4,400,000)	(\$4,400,000)	(\$4,400,000)

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation (MoDOT)** assume although MHTC receives a large portion of these Motor Carrier Safety Assistance Program (MCSAP) funds, other portions of this Federal funding are distributed to the Missouri State Highway Patrol, the Kansas City Police Department, and the St. Louis Metropolitan Police Department, to help underwrite the commercial motor vehicle safety enforcement activities of all of these public agencies. Because the enactment of this new exemption would be incompatible with the Federal Motor Carriers Safety Regulations (FMCSRs) and not within the tolerance guidelines prescribed by Federal regulations, it could result in the disqualification of all of these agencies to receive Federal safety funds under the MCSAP program.

The State of Missouri would lose \$4.4 Million (during 2011 we are receiving \$4,405,391.02 to be exact). These agencies receive as follows (these are rough amounts, as the actual amounts can fluctuate from year to year):

Missouri Department of Transportation - \$1,640,000.00
Missouri State Highway Patrol - \$1,460,000.00
Kansas City Police Department - \$656,000.00
St. Louis Police Department - \$667,000.00

The enactment of this bill would not exempt funeral service providers from the FMCSRs, as those regulations are made applicable by Sections 307.400 or 622.550, RSMo. The main difference is that the new exemption in Section 390.030 would exclude the applicability of Section 390.063.6, RSMo--which makes the FMCSRs applicable with reference to passenger-carrying motor vehicles with a seating capacity of 7 or 8 persons, including the driver, when used to transport passengers in intrastate commerce.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Federal Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
ESTIMATED NET EFFECT ON MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FUNDS	<u>(\$4,400,000)</u>	<u>(\$4,400,000)</u>	<u>(\$4,400,000)</u>

FISCAL IMPACT - Small Business

Yes. The proposed enactment of the new exemption in Section 390.030.1(13) appears to be intended to relieve small businesses, which operate motor vehicles in furtherance of the funeral service business, from having to incur the regulatory burdens and costs necessary to comply with the provisions of Chapter 390, RSMo. The primary impact of such an exemption would be to exclude these businesses from having to comply with the Federal Motor Carrier Safety Regulations, which is made applicable by Section 390.063.6, RSMo.

FISCAL DESCRIPTION

The proposed legislation adds motor vehicles owned by a licensed funeral establishment used to provide funeral services to the list of vehicles excluded from the motor carrier provisions of chapter 390.

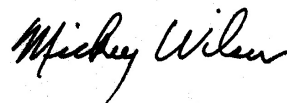
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Transportation

Not Responding

Missouri Highway Patrol
Kansas City Police Department
St. Louis Metropolitan Police Department



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April 12, 2011

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