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STAGGERED MOTOR CARRIER REGISTRATION BILL APPROVED BY HOUSE COMMITTEE:

The House Transportation and Motor Vehicle Committee approved a bill March 10 that would establish a staggered registration process for commercial motor carriers. House Bill 1280, sponsored by Rep. Gayle Kingery, R-Poplar Bluff, would allow motor carriers to register their vehicles throughout the year to more evenly distribute the workload involved in the registration process. Currently, motor-carrier registration can be done only during the last quarter of the year.

The staggered registration proposal is one of the MHTC's legislative priorities for the 2004 session.

The bill also would move the statutory provisions regulating commercial motor vehicle registration from the Reciprocity Commission to the Missouri Highways and Transportation Commission. The transfer of these responsibilities is a result of an executive order issued in February 2002 by Gov. Bob Holden that reorganized Missouri's motor carrier services.

During the committee hearing, MoDOT Motor Carrier Manager Mary Jo Pointer testified that the department receives about 5,900 motor carrier registrations a year. In addition, they assist walk-in applicants needing to register by the end of the year. Last year, the office processed 1,300 walk-in customers. According to Pointer, the bill would give the commercial vehicle operators the option to file during any quarter of the year.

There was no opposition to the bill.

The bill now awaits debate on the House floor.

SENATE COMMITTEE CONSIDERS BILL TO CHANGE MOTOR VEHICLE REGISTRATION FEES AND LICENSE PLATES:

The Senate Transportation Committee is considering a bill that would make several changes to the laws governing motor vehicle registration fees, the issuing of license plates and motor vehicle inspection fees. Senate Bill 1251, is sponsored by Sen. Jon Dolan, R-Lake St. Louis.

The bill would:

- Establish the Highway Patrol Safety Fund, which would receive money from an annual \$6 fee imposed on passenger motor vehicle owners and owners of trucks having a gross weight of 12,000 pounds or less. The fund also would receive money

generated by a five percent increase in motor vehicle registration fees. The fund is contingent upon passage of a constitutional amendment authorizing the establishment of the fund and the increase in fees.

- Set the registration fee for all passenger motor vehicles at \$29.75 and remove all references to horsepower ratings currently in the law. The bill also would remove all references in state law relating to commercial motor vehicles having a gross weight of 12,000 pounds or less and would describe those vehicles as trucks having a gross weight of 12,000 pounds or less and impose a registration fee of \$29.75 on the vehicles.
- Require the Department of Revenue to issue new license plates every six years beginning in Jan. 1, 2006. It also would allow the department to charge a fee up to \$2.25 to cover the cost of reissuing the plates. The fees can be charged every six years and can be increased to account for inflation but cannot be higher than the actual cost of reissuing the plates.
- Repeal the motor vehicle inspection requirement for passenger motor vehicles, motorcycles and trucks having gross weight of 12,000 pounds or less.
- Give official motor vehicle inspection stations until the beginning of the following fiscal year to seek a refund for any unused inspection stickers if a constitutional amendment is approved by voters to establish a separate Highway Patrol Safety Fund.
- Authorize the Highway Patrol to stop motor vehicles for an inspection if the officer determines the motor vehicle is being operated in an unsafe condition and is an endangerment to the driver and others. The driver would be required to have the motor vehicle repaired and obtain a safety inspection certificate within 10 days and report the repair to the highway patrol. If the owner of the motor vehicle does not forward a copy of the certificate within 30 days, the Department of Revenue would be authorized to suspend the registration of the motor vehicle.

Most of the provisions in the bill are contingent upon voter approval of a constitutional amendment establishing the dedicated funding source for the State Highway Patrol.

During the hearing, Sen. Dolan introduced a substitute bill that substantially reduced the content of the original bill. The substitute bill includes the reissuing of license plates and the associated fees. It also would establish an advisory committee within the Department of Revenue to design the new plates. The advisory committee would consist of the director of the Department of Revenue, the superintendent of the Missouri State Highway Patrol, the administrator of Correctional Enterprises and the chairpersons of the Senate and House transportation committees.

There was no testimony on the bill, and the committee took no action.

HOUSE APPROVES SUPPLEMENTAL FUNDING BILL; AMENDMENT PROVIDES ADDITIONAL AMTRAK FUNDING: The House approved a supplemental funding bill March 11 to provide additional money for some state government operations. House Bill 1014, sponsored by Rep. Carl Beardon, R-St. Charles, includes an additional \$884,000 for Amtrak.

The Amtrak funding was added as an amendment to the supplemental funding bill while it was being debated on the House floor.

The bill now goes to the Senate for consideration.

HOUSE COMMITTEE APPROVES BILL TO ESTABLISH VOLUNTARY COMPLIANCE AUDITS FOR MOTOR CARRIERS:

The House Transportation and Motor Vehicle Committee approved a bill March 10 that would jeopardize the federal funding MoDOT receives for its motor carrier program. About \$1.7 million in federal funding used for enforcement staff for the commercial motor carriers division would be at risk due to the way the bill is drafted. The legislation, House Bill 1437, is sponsored by Rep. Mike Sutherland, R-Warrenton.

Currently, compliance audits performed by enforcement staff are funded through grants from the U.S. Department of Transportation Motor Carrier Safety Administration. The federal government defines the process of performing compliance audits, and the grants indicate the types of work to be performed. If current staff were required to perform audits with requirements contrary to the grants, federal funding could be lost.

MoDOT officials are working with Rep. Sutherland and the House Transportation Committee chairman to ensure that legislation passed this year won't negatively impact transportation funds.

The bill now goes to the full House for consideration.

HOUSE COMMITTEE PASSES EMINENT DOMAIN LEGISLATION: The House Transportation and Motor Vehicle Committee approved a bill March 10, that would change the way property values are determined when the MHTC acquires property through the power of eminent domain. House Bill 1504 is sponsored by Rep. Scott Lipke, R-Jackson.

Under the bill, the court, commissioners, and jury hearing a condemnation proceeding would be required to consider any loss of highway access suffered by the landowner when determining damages.

Pam Harlan, from MoDOT's Governmental Affairs, testified against the bill.

MoDOT opposes the proposal because it would direct appraisers, condemnation commissioners, and juries to consider loss of direct access, including the prohibition of making right or left turns into or out of a property, when assessing damages. The department believes the bill would mandate damages for loss of access in all situations.

The bill now goes to the House for consideration.

HOUSE APPROVES TORT REFORM BILL: The House approved a bill March 11 that would make a number of changes in Missouri's tort reform law. House Bill 1304 is sponsored by Rep. Richard Byrd, R-Kirkwood.

While the majority of the bill addresses medical tort reform, the bill would affect MoDOT by modifying Missouri's joint and several liability law.

Under current law, if MoDOT is named in a lawsuit with a co-defendant, and an accident is ruled to be partly MoDOT's fault and partly the fault of the co-defendant, but the co-defendant is unable to pay its share of the judgment, MoDOT could be required to pay the entire judgment. House Bill 1304 would require MoDOT to pay only the judgment against the department if the department is found to be less than 51 percent at fault.

This change could possibly reduce the judgment and settlement costs MoDOT is required to pay from the state road fund.

The bill now goes to the Senate for additional review and debate.

MARATHON COMMITTEE HEARING RESULTS IN FIRST-ROUND APPROVAL OF NUMEROUS BILLS: The House Transportation and Motor Vehicles Committee heard testimony March 10 on a variety of transportation-related proposals. Many of the bills were approved in a lengthy second committee hearing later in the day.

Bills heard and approved include:

- House Bill 1610, sponsored by Rep. Dan Ward, D-Bonne Terre, would designate a portion of U. S. Highway 67 in St. Francois County between Desloge and Bonne Terre as the Trooper Jesse R. Jenkins Memorial Highway. Capt. Johnson testified in support of the bill.
- House Bill 1438, sponsored by Rep. Ward, would designate a section of U. S. Highway 67 in St. Francois County between State Route 8 in Desloge and State Route 32 in Leadington as the "Deputy Steven R. Ziegler Memorial Highway."
- House Bill 1442, sponsored by Sen. Scott Lipke, R-Jackson, would designate a section of State Route 51 in Perry County from Interstate 55 to U. S. Highway 61 as the "Thomas G. Tucker, Jr. Memorial Highway."
- House Bill 1449, sponsored by Rep. Mark Bruns, R-Jefferson City, would create a special license plate for the Missouri Society of Professional Engineers.
- House Bill 1489, sponsored by Rep. Frank Barnitz, D-Lake Spring, would allow passengers to ride on ATVs that are designed to carry more than one person.
- House Bill 1123, sponsored by Rep. Joe Smith, R-St. Charles, would revise state law to prohibit the production of special license plates until at least 400 applications for a particular plate have been received.

These bills now await debate on the House Floor.

Other bills approved by the committee include:

- House Bill 1408, sponsored by Rep. Robert Mayer, R-Dexter, would allow the director of the Department of Revenue to refuse to issue or renew motor vehicle registration if owner of motor vehicle owes vehicle-related fees or fines to a city.
- House Bill 1366, sponsored by Rep. Curt Dougherty, D-Independence, would allow for reimbursement of one year of the registration fee paid for biennial plates when plates are returned before one year has passed.

- House Bill 1284, sponsored by Rep. Kevin Engler, R-Farmington, would revise the definition of “salvage vehicles” and provides that salvage titles shall be negotiable with one reassignment on back by registered dealers or insurance companies.
- House Bill 1374, sponsored by Rep. Larry Crawford, R-California, would create the “Respect Life” license plate.
- House Bill 928, sponsored by Rep. Walt Bivins, R- St. Louis, would revise the statute on intermediate driver’s licenses.

These bills now go to the House for debate.

SENATE COMMITTEE DISCUSSES LICENSE FEE OFFICE BILL: The Senate Transportation Committee heard testimony March 9 on a bill that would allow certain fee offices located in cities where the Department of Revenue maintains an office to collect fees for processing driver’s licenses, motor vehicle registrations and other transactions. Senate Bill 1285 is sponsored by Sen. Charles Wheeler, D-Kansas City.

Mike Right, representing AAA Auto Club of Missouri, testified in support of the bill. He said current law has allowed for these services in the St. Louis area since the late 1920s. This bill would allow other areas of the state to offer the same services.

There was no opposition to the bill.

The committee took no action on the bill.

HOUSE DEBATES TRANSPORTATION BILLS: The House debated and passed a number of bills this week. Those bills include:

- House Bill 895, sponsored by Rep Edgar Emery, R-Lamar would create procedures for the dissolution of road districts.
- House Bill 960, sponsored by Rep. Bradley Roark, R-Springfield, would designate a portion of Highway 60 as the Trooper Russell Harper Memorial Highway.
- House Bill 1107, sponsored by Rep. Larry Crawford, R-Centertown, would allow owners of property adjacent to transportation development districts to petition to be added to the district.
- House Bill 1149, sponsored by Rep. Bob May, R-Rolla, would designate a bridge on of Interstate 44 in Phelps County the Trooper Mike L. Newton Memorial Bridge.

SEVERAL BILLS DEBATED BY SENATE: The Senate debated and passed several bills this week that could have an impact on MoDOT.

- Senate Bill 1020, sponsored by Sen. Sarah Steelman, R-Rolla, would revise Missouri’s Sunshine Law.
- Senate Bill 718, sponsored by Sen. Anita Yeckel, R-St. Louis, would create the Small Business Regulatory Fairness board to serve as liaison between agencies and small businesses.
- Senate Bill 937, sponsored by Sen. Chuck Gross, R-St. Charles, would create the Missouri Catalog of Assistance Programs to serve as a repository of information for

public assistance programs. A team comprised of one person from each state agency coordinates the information for the development of the catalog.

UPCOMING HEARINGS:

The latest legislative hearing notices can be found at www.house.mo.gov; go to Hearings and choose either House Hearing Schedule or Senate Hearing Schedule.