

## Department of Planning and Budget 2008 Fiscal Impact Statement

**1. Bill Number:** HB1198

House of Origin    ☐ Introduced    ☐ Substitute    ☒ Engrossed

Second House    ☒ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Valentine

**3. Committee:** Transportation

**4. Title:**        **Driver's licenses, commercial; State law conformance with federal requirements.**

**5. Summary:** This bill brings Virginia law on commercial driver's licenses into conformance with federal requirements.

**6. Fiscal Impact Estimates:** Preliminary. See Item #8 below.

**7. Budget Amendment Necessary:** No.

**8. Fiscal Implications:** Enactment of this legislation will enable the Commonwealth to meet Federal Motor Carrier Safety Administration (FMCSA) audit requirements with regards to the Virginia commercial driver's license (CDL) program. Failure to meet the federal FMCSA audit requirements could potentially result in noncompliance with the provisions of the Motor Carrier Safety Improvement Act (MCSIA). States are required to be in compliance with the provisions of MCSIA or be subject to the withholding of federal highway aid funds and grant funds authorized under the Motor Carrier Safety Assistance Program. For the first year of noncompliance, the FMCSA can withhold five percent of a state's annual apportionment of National Highway System, Surface Transportation Program, and Interstate Maintenance Funds. The following chart shows Virginia's apportionments by fund for federal fiscal year 2007 and the potential five percent withholding on each fund.

| Federal Fiscal Year               |                       |                     |                              |                       |                     |
|-----------------------------------|-----------------------|---------------------|------------------------------|-----------------------|---------------------|
| 2007                              | Base<br>Apportionment | 5%<br>withholding   | Equity Bonus<br>Distribution | Full<br>Apportionment | 5%<br>withholding   |
| National Highway system           | \$139,725,542         | \$6,986,277         | \$47,382,086                 | \$194,093,905         | \$9,704,695         |
| Surface Transportation<br>Program | \$167,708,395         | \$8,385,420         | \$56,871,302                 | \$232,965,117         | \$11,648,256        |
| Interstate Maintenance<br>Funds   | \$143,007,062         | \$7,150,353         | \$48,494,876                 | \$198,652,291         | \$9,932,615         |
| <b>Total</b>                      | <b>\$450,440,999</b>  | <b>\$22,522,050</b> | <b>\$152,748,264</b>         | <b>\$625,711,313</b>  | <b>\$31,285,566</b> |

Source: Virginia Department of Transportation

For each subsequent year of noncompliance, the amount that the FMCSA can withhold increases up to ten percent.

**9. Specific Agency or Political Subdivisions Affected:** Department of Motor Vehicles, Virginia Department of Transportation.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.

**Date:** 2/5/2008/jlv

**Document:** G:\08-10\FIS\HB1198E.Doc Janet Vogelgesang

cc: Secretary of Transportation