

Department of Motor Vehicles 2009 Fiscal Impact Statement

1. Bill Number: HB2238

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|-----------------|--------------------------|--------------|--------------------------|------------|-------------------------------------|-----------|
| House of Origin | <input type="checkbox"/> | Introduced | <input type="checkbox"/> | Substitute | <input type="checkbox"/> | Engrossed |
| Second House | <input type="checkbox"/> | In Committee | <input type="checkbox"/> | Substitute | <input checked="" type="checkbox"/> | Enrolled |

2. Patron: Valentine

3. Committee: Transportation

4. Title: **Transport of hazardous materials by commercial motor vehicle; out-of-service order.**

5. Summary: Transport of hazardous materials by commercial motor vehicle; out-of-service order. Changes the disqualification period for the first offense of violation of an out-of-service order involving hazardous materials from three years to two years.

6. Fiscal Impact Estimates: See item 8 below.

7. Budget Amendment Necessary: No.

8. Fiscal Implications:

This proposal will assist the Commonwealth of Virginia with meeting the requirements of the federal 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. For each subsequent year of noncompliance, the amount that the FMCSA can withhold increases to ten percent.

Based on a full apportionment of \$603,233,236 for Fiscal Year 2008, the potential withholding amount would be \$30,161,662 for the first year of noncompliance (5%), and \$60,323,324 (10%) for the second year of noncompliance. Failure to comply with federal CDL regulations could also cause Virginia to lose its authority to issue CDL's.

9. Specific Agency or Political Subdivisions Affected: DMV, VDOT.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 02/17/09/rwt

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cc: Secretary of Transportation