

**Department of Planning and Budget**  
**2019 Fiscal Impact Statement**

**1. Bill Number:** HB2098

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:** Freitas

**3. Committee:** Appropriations

**4. Title:** Federal electronic logging device regulations; use of state funds prohibited.

**5. Summary:** This bill prohibits the expenditure of state funds for the purpose of enforcing federal regulations related to electronic logging devices against a motor vehicle transporting nonhazardous materials for farm purposes intrastate.

**6. Budget Amendment Necessary:** Yes, Item 419 and Item 439.

**7. Fiscal Impact Estimates:** Preliminary. See Item #8.

**8. Fiscal Implications:** Both the Virginia State Police and the Department of Motor Vehicles (DMV) receive Federal Motor Carrier Safety Assistance Program (MCSAP) funding and perform law enforcement duties pertaining to Federal Motor Carrier Safety regulations. The Virginia State Police receive \$6,800,000 annually and DMV receives \$752,036 annually in MCSAP funding. Under 49 CFR § 350.335, the Federal Motor Carrier Safety Administration (FMCSA) may withhold MCSAP funds when a state enacts a law or regulation which is incompatible with commercial motor vehicle safety laws and regulations. If passed, this bill would be incompatible with those regulations and could result in an annual loss of this funding.

For the Virginia State Police, the Motor Carrier Safety Assistance Program grant funds 30 sworn positions, comprised of two sergeants in the field, one first sergeant, and 27 troopers. It also funds 12 civilian positions, including eight wage new entrant safety auditors. The funding supports the inspection of commercial motor vehicles and the administrative support staff for those troopers and auditors completing inspections. For DMV, the funding supports a data quality analyst consultant and commercial vehicle operational costs, with the bulk of the funding supporting the weigh-in-motion program.

**9. Specific Agency or Political Subdivisions Affected:** Virginia State Police, Department of Motor Vehicles, local law enforcement agencies.

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

**11. Other Comments:** None.

**Date:** 1/14/2019

**Document:** G:\18-20\FIS 2019\HB2098.docx

Cc: Secretary of Transportation  
Secretary of Public Safety