Ohio Legislative Service Commission

Sara D. Anderson

Fiscal Note & Local Impact Statement

Bill: Sub. H.B. 251 of the 128th G.A. **Date**: May 7, 2010

Status: As Reported by House Civil & Commercial Law **Sponsor**: Rep. Book

Local Impact Statement Procedure Required: No — Minimal cost

Contents: Makes changes in the law governing commercial drivers' licenses

State Fiscal Highlights

STATE FUND	FY 2011	FY 2012	FUTURE YEARS
State Bureau of Motor Vehicles Fund (Fund 4W40)			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential one-time increase, unlikely to be more than negligible	- 0 -	- 0 -

Note: The state fiscal year is July 1 through June 30. For example, FY 2010 is July 1, 2009 – June 30, 2010.

- **Operating a vehicle under the influence (OVI) provisions – BMV.** The Bureau of Motor Vehicles (BMV) could experience a potential one-time increase in expenditures in the State Bureau of Motor Vehicles Fund (Fund 4W40) for computer programming costs related to tracking the additional commercial driver's license (CDL) suspensions created by the bill.
- **OVI provisions – ODADAS.** According to the Ohio Department of Alcohol and Drug Addiction Services (ODADAS), the provisions in the bill related to pre-trial diversion programs and intervention in lieu of conviction would not have any fiscal impact on the Department.

Local Fiscal Highlights

- The bill would reduce from ten to seven the number of days within which a county court judge, mayor of a mayor's court, or a clerk of court is required to prepare and forward to the BMV an abstract of the court record of a conviction of bail forfeiture in relation to traffic law violations. According to the clerks of courts contacted by LSC fiscal staff, this provision would not likely have a significant fiscal impact on the courts, particularly those courts that file their reports electronically.

Detailed Fiscal Analysis

Overview

From a fiscal perspective, the bill does the following:

- Makes changes to the CDL law to bring state law into compliance with federal regulations.
- Reduces from ten to seven the number of days within which a county court judge, mayor of a mayor's court, or a clerk of court is required to prepare and forward to the BMV an abstract of the court record of a conviction of bail forfeiture in relation to traffic law violations.

State fiscal effects

The bill requires the Registrar of Motor Vehicles to disqualify the holder of a CDL from operating a commercial motor vehicle upon a municipal OVI conviction. This provision would close a loophole in existing law that currently only allows the Registrar to disqualify the holder of a CDL from operating a commercial motor vehicle if that person is convicted of an OVI offense under state law. According to the Department of Public Safety, the BMV could experience a potential one-time increase in expenditures in the State Bureau of Motor Vehicles Fund (Fund 4W40) for computer programming costs as they relate to the changes in the OVI provisions. Its staff would need to add a new offense code to their database in order to properly track the number of CDL holders who are convicted of an OVI offense under a municipal OVI ordinance. Any expenditures related to this task would likely be negligible.

The bill provides that pre-trial diversion programs are not applicable to CDL holders and also expands the conditions for an offender to be eligible for intervention in lieu of conviction. According to the Ohio Department of Alcohol and Drug Addiction Services (ODADAS), these would not have any fiscal impact on the Department.

There are several provisions in the bill related to the state's CDL law that will bring state law into compliance with federal regulations. According to the Department, these provisions would not have any fiscal impact on the BMV or its operations. Those provisions are as follows:

- Skills testing for CDL holders, including which entities can be licensed to administer the skills test and the fee requirements for the administration of the test;
- Prohibition of any person holding a CDL who would be prohibited from holding a CDL under federal law;
- Hazardous materials endorsements;
- Prohibits a CDL holder from failing to stop after an accident; and
- Prohibits a court from modifying the record of a CDL holder.

Local fiscal effects

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