



Ohio Legislative Service Commission

Sara D. Anderson

Fiscal Note & Local Impact Statement

Bill: [Sub. H.B. 337 of the 129th G.A.](#) **Date:** December 8, 2011
Status: As Passed by the House **Sponsor:** Rep. Rosenberger

Local Impact Statement Procedure Required: No

Contents: Makes changes to the law related to commercial drivers' licenses

State Fiscal Highlights

- The bill brings Ohio's Commercial Driver's License (CDL) law into compliance with federal regulations. This prevents the possibility of the federal government withholding federal highway funding as a penalty for noncompliance.
- The bill imposes new requirements on the Registrar of Motor Vehicles. These requirements increase the administrative burden of the Bureau of Motor Vehicles.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

The bill makes changes to the Commercial Driver's License (CDL) law to bring it into compliance with federal regulations. In addition, the bill establishes a waiver for the CDL skills test for drivers with recent military commercial motor vehicle experience and declares an emergency.

Federal regulation compliance

The bill brings Ohio's CDL law into compliance with the minimum Federal Motor Carrier Safety Regulations. According to the Department of Public Safety, the Federal Motor Carrier Safety Administration (FMCSA) has indicated that if Ohio remains noncompliant with the regulations, it may take action to withhold a portion of Ohio's federal highway funding.¹ Presumably, the bill prevents any such action from being taken.

The bill requires the Registrar of Motor Vehicles to report and maintain additional information on the existing CDL Information System, to retain medical certificates for certain CDL holders, to send up to two notices to certain CDL holders if their medical certification expires or is removed, to obtain information about the driving record of a person applying to renew, transfer, or upgrade a CDL, and to hold an administrative hearing if requested by a person whose CDL hazardous materials endorsement is revoked.² These requirements will increase the administrative burden of the Bureau of Motor Vehicles (BMV). In addition, the bill makes changes to the qualifications for a CDL, which likely will require the BMV to update their computer systems to track the new information. This would be a one-time cost that, according to the Department of Public Safety, is likely to be negligible.

The bill 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. This provision is not likely to have a significant fiscal impact on the courts, particularly those courts that file their reports electronically.

Skills test waiver for military commercial motor vehicle experience

The bill establishes a waiver for the CDL skills test for drivers with military commercial motor vehicle experience. In order to qualify for the waiver, at the time of application, the applicant has to be a current member or uniformed employee of the armed forces, or have separated from such service within the preceding 90 days.

¹ Under the regulations, up to 5% of this funding may be withheld in the first year of noncompliance and up to 10% in subsequent years.

² For a complete explanation of the bill's requirements, please see the LSC bill analysis.

The fee for an applicant taking the CDL skills test depends on which testing location is used. There are five state-operated testing locations, where it costs an applicant \$50 to take the skills test, and ten public or third-party testing locations, of which three are operated by local governmental entities, where it costs an applicant \$85 to take the skills test. By granting a waiver to an applicant who has recent military commercial motor vehicle experience, there is a possibility that the State Highway Safety Fund (Fund 7036) or the local entities that offer testing could lose revenue from applicants who would otherwise have to pay the testing fee. Any loss in revenue will be at least partially offset by a savings of the costs of providing the testing. However, given the small number of applicants affected by this provision, it is unlikely that the fiscal impact would be significant.

HB0337HP / th