

**STATE
FISCAL IMPACT**

Drafting Number: LLS 13-0770

Date: March 6, 2013

Prime Sponsor(s): Sen. Heath
Rep. Tyler

Bill Status: Senate Transportation

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TITLE: CONCERNING CIVIL PENALTIES IMPOSED ON MOTOR CARRIERS FOR LEGAL VIOLATIONS.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
General Fund	<\$250	<\$250
Cash Funds		
Moving Outreach Cash Fund	<\$250	<\$250
State Diversions		
Diversions from the General Fund to the Moving Outreach Cash Fund	\$5,000	\$5,000
State Expenditures		
Cash Funds		
Moving Outreach Cash Fund	\$5,000	\$5,000
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2013-2014: See State Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

This bill redirects half of the penalties collected from movers of household goods from the General Fund to the Moving Outreach Fund in the Public Utilities Commission (PUC) in the Department of Regulatory Agencies (DORA). These monies are to be used to educate the public about their rights as consumers of moving services, and the responsibilities of movers when offering and providing moving services. The bill allows the PUC to revoke the permit of a mover, or the owner or operator of a charter bus, children's activity bus, fire crew transport, luxury limousine, or off-road scenic charter for failure to pay a civil penalty. Once revoked, the permit holder is disqualified from applying for a permit for three years after the date the fine or civil penalty was due. Under current law, the PUC must wait until a mover has failed to pay civil penalties for multiple violations before it can have the Department of Revenue (DOR) cancel the mover's vehicle registration. With this bill, the PUC may direct the DOR to cancel the mover's vehicle registration for failure to pay any civil penalty, regardless of the number of violations.

State Revenue

Because this bill includes a mechanism to compel movers to pay their civil penalties promptly or face revocation of their permits or vehicle registrations, this is expected to improve penalty collections for the PUC resulting in a minimal increase in revenue. **The fiscal note assumes less than \$500 in increased revenue each year divided equally between the General Fund and the Moving Outreach Fund.**

State Diversion

This bill diverts one half of the civil penalties collected by the PUC from movers of household goods from the General Fund to the Moving Outreach Fund. This is expected to be approximately \$5,000 per year beginning in FY 2013-14.

State Expenditures

This bill is expected to increase expenditures for the PUC by approximately \$5,000 per year beginning in FY 2013-14 from the Moving Outreach Fund. This funding will be used to supplement DORA's existing consumer outreach and education program with an appropriate share of funding used to address the moving industry. The PUC will not have an increase in expenditures for enforcement because it doesn't change the enforcement process, but gives the PUC the authority to escalate its actions upon the first failure of a violator to pay.

State Appropriations

For FY 2013-14, the Department of Regulatory Agencies requires an appropriation of \$5,000 from the Moving Outreach Fund.

Departments Contacted

Regulatory Agencies Revenue