



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 2036

PRINTERS NO. 2836

PRIME SPONSOR: Geist

### COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
Motor License Fund	\$500,000	\$0

**SUMMARY:** Makes technical and substantive changes to Commercial Driver License (CDL) section of the Vehicle Code relating to suspensions for failure to obtain or carry a medical card as required by federal law. This legislation would take effect immediately.

**ANALYSIS:** This legislation would amend Chapters 15 (Licensing of Drivers) and 16 (Commercial Drivers) of Title 75 (Vehicle Code) to reflect changes required by 49 Code of Federal Regulations (CFR) Parts 383, 384, 390, and 391 relating to Medical Certification Requirements.

This legislation amends Chapter 16 to require every commercial learner's permit applicant, as well as existing commercial driver license holder, to self-certify the type of driving in which they expect to engage. Drivers engaging in "non-excepted" driving will be required to submit a copy of their valid Medical Examiner's Certificate to PennDOT.

This bill amends the language outlined in Chapter 16 to require the disqualification of an individual from driving a commercial vehicle if the individual was convicted of incorrectly or fraudulently submitting a certification.

In addition, language is being added to Chapter 15 that requires PennDOT to remove the CDL designation to drivers who fail to comply with the certification and medical examination requirements. These will appear as endorsement codes on the CDL.

This legislation defines the term "medical examiner" and adds new commercial restrictions relating to the medical examination, i.e., the requirement to wear corrective lenses, a hearing aid, and/ or qualifying for a medical variance in order to maintain medical certification.

**FISCAL IMPACT:** According to PennDOT the cost to implement the necessary system changes required for the Federal CDL medical requirements is \$2.2 million. These costs would be offset by \$1.7 million in Federal grant funding; therefore, the net fiscal impact to the Motor License Fund would be a one-time, \$500,000 cost in Fiscal Year 2011-12.

This legislation would prevent the loss of approximately \$32.65 million in federal funds. This is based on 5% of the approximate \$653 million in federal-aid highway funds for the 2011 apportionment. Section 384.401(a) and (b) of the federal motor carrier safety regulations says that “following the first year of noncompliance, an amount up to 5% of the Federal-aid highway funds required to be apportioned to any State shall be withheld from a State on the first day of the fiscal year following such State’s first year of non-compliance under this part”.

**PREPARED BY:** Tim Rodrigo  
House Appropriations Committee (R)

**DATE:** December 19, 2011

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*