

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6236**

**BILL NUMBER: SB 74**

**NOTE PREPARED: Jan 19, 2010**

**BILL AMENDED: Jan 12, 2010**

**SUBJECT:** Federal Regulation of Commercial Driver's License.

**FIRST AUTHOR:** Sen. Wyss

**FIRST SPONSOR:** Rep. Austin

**BILL STATUS:** As Passed Senate

**FUNDS AFFECTED:**    **GENERAL**  
                          **X DEDICATED**  
                          **FEDERAL**

**IMPACT:** State

**Summary of Legislation:** This bill makes various changes to the motor vehicle law pertaining to commercial driver's licenses to conform to the Code of Federal Regulations.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** Of the several changes made, the quantifiable change involves penalties for both the driver and the employer. The penalties as listed in the CFR 383.53 for driver violations are higher than the current penalties listed in the Indiana Code. The fund affected is the Motor Vehicle Highway Account, which supports the Bureau of Motor Vehicles (BMV).

For example, driver violations in CFR 383.53 require a penalty of not less than \$2,500 for the first conviction (Indiana Code is a civil penalty of \$1,000) and not less than \$2,500 for the second and subsequent conviction, in addition to disqualification. For employer violations, CFR 383.53 provides for a civil penalty of not less than \$2,750 nor more than \$25,000 (Indiana Code is a civil penalty of \$1,000).

**Background Information:** According to the BMV, the changes contained in this proposal are the result of biennial audits from the Federal Motor Carrier Administration pointing out certain deficiencies in the state administration regarding CDLs.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** BMV.

**Local Agencies Affected:**

**Information Sources:** CFR 383.53; Sarah Meyer, BMV, 317-232-1936.

**Fiscal Analyst:** James Sperlik, 317-232-9866.