

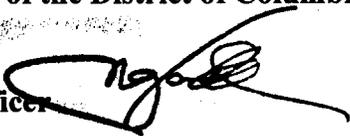
**Government of the District of Columbia
Office of the Chief Financial Officer**



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: July 9, 2010

SUBJECT: Fiscal Impact Statement – “Commercial Transportation Safety
Approval Resolution of 2010”

REFERENCE: No Number Available – Draft Resolution to Be Introduced

Conclusion

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the proposed resolution.

Background

The proposed resolution would approve the proposed rules to amend the commercial transportation safety regulations as specified in Chapter 14 (Commercial Transportation Safety) of the Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations. Upon enactment of the proposed rules, commercial transportation safety related fine structures would conform to the mandatory Federal Motor Carrier Safety Administration regulations. Specifically, the proposed rules would increase the current fine of \$1,000 for violation of out-of-service notice¹ to:

- a civil penalty of not less than \$2,500 for a first conviction and not less than \$5,000 for a subsequent conviction, in addition to disqualification, when a driver is convicted of or found liable by an authorized administrative tribunal of violating an out-of-service order;² and

¹ By amending Subsections 1408.2, 1408.3, and 1408.4

² By adding a new Subsection 1408.6

- a civil penalty of not less than \$2,750 nor more than \$25,000, when an employer is convicted of or found liable by an authorized administrative tribunal of knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during a period in which the driver or the commercial vehicle is subject to an out-of-service order.³

Additionally, the proposed rules would establish a civil penalty of not more than \$10,000 in the case an employer is convicted of or found liable by an authorized administrative tribunal of knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle in violation of a federal, State, or District law or regulation pertaining to railroad-highway grade crossing.

Financial Plan Impact

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the proposed resolution. The proposed resolution might have a small positive revenue impact due to increases in fines, but this impact cannot be quantified at this time.

³ By adding a new Subsection 1408.7