

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION
Revision 1

March 27, 2003

TO: Honorable Joe Driver, Chair, House Committee on Law Enforcement

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB527 by Smith, Todd (Relating to the eligibility of a person to operate a commercial motor vehicle in this state.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code relating to the eligibility of a person to operate a commercial motor vehicle and would expand the definition of a serious traffic violation to include any motor vehicle violation for the purposes of determining qualifications for operating a commercial vehicle.

The Department of Public Safety indicates it could absorb costs associated with implementing the provisions of the bill within its current resources.

The Texas Department of Transportation (TxDOT) indicates that significant negative fiscal implications to the state would be realized if state law does not comply with the requirements of the Federal Motor Carrier Safety Improvement Act of 1999, by September 30, 2005. The provisions of HB 527 only address some of those compliance requirements. Under the provisions of the Federal Motor Carrier Safety Improvement Act, penalties would be realized in federal apportionment and obligation authority reductions equivalent to five percent in fiscal year 2006, and would increase to 10 percent during each subsequent year until compliance is attained. Based on apportionment amounts available in fiscal year 2002, TxDOT estimates that if penalties should be assessed, reductions of approximately \$82 million would be realized in fiscal year 2006, and that those reductions would increase to approximately \$164 million in fiscal years 2007 and 2008.

The bill would take effect September 1, 2003, and would require violations committed before the effective date to be governed by current law.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. Local government entities may incur minimal costs to report offenses to the Texas Department of Public Safety.

Source Agencies: 405 Department of Public Safety, 601 Department of Transportation

LBB Staff: JK, WK, VDS, KG, AR, WP, MW