

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 9, 2003**

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

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB3203** by Delisi (Relating to the creation and implementation of the driver responsibility program.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3203, As Introduced: a positive impact of \$314,448,629 through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	\$103,324,729
2005	\$211,123,900
2006	\$317,320,221
2007	\$317,676,968
2008	\$317,644,118

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable Revenue Gain from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Change in Number of State Employees from FY 2003
2004	(\$4,279,856)	\$107,604,585	66.0
2005	(\$4,107,578)	\$215,231,478	91.0
2006	(\$5,527,920)	\$322,848,141	118.0
2007	(\$5,171,173)	\$322,848,141	112.0
2008	(\$5,204,023)	\$322,848,141	98.0

**Fiscal Analysis**

The bill would amend the Transportation Code to implement a driver responsibility program administered by the Department of Public Safety. The program would consist of assessing motor vehicle points against the licenses of drivers who commit certain driving offenses. The bill would require an annual surcharge be assessed against drivers whose licenses had accumulated six or more points within the preceding 36 months. The surcharge would be \$100 for the first six points and \$25 for each additional point. The bill would also require annual surcharges, not to exceed three years, for the following offenses: driving while intoxicated or refusal to consent to intoxication testing —\$1,000 for the first and second offense, increasing to \$1,500 for the third offense; driving with a suspended or revoked license or without proof of financial responsibility—\$250; or, driving with an expired or

without a valid driver's license—\$100.

The bill would require the funds to be deposited into the Tertiary Care Account. The Comptroller of Public Accounts reports the Tertiary Care Account was abolished by previous funds consolidation legislation, and this bill would not re-create the account. As a result, all revenues would be deposited to the credit of the General Revenue Fund.

### **Methodology**

The Department of Public Safety (DPS) has estimated the potential revenue gain based on statistics from FY 2000, FY 2001, and FY 2002. The revenue estimate also assumes a compliance rate for the payment of the surcharges of 66 percent.

DPS reports the bill would generate approximately 547,000 new surcharge cases per year for the first three years. The department reports that the Driver Improvement Bureau, Safety Responsibility Bureau, Customer Service Bureau, Central Cash Receiving, Information Management Services, and Mail Operations would require additional FTEs, operating equipment, and rental space to implement the provisions of the bill. The FTEs would be responsible for mainframe system reprogramming, evaluating the driver cases, processing compliance items, applying appropriate points to the driver history, handling customer service inquiries, and processing payments. Employee benefits are calculated at 28.46 percent of salaries and wages.

### **Technology**

DPS reports the bill will require the purchase of desktop computers, printers, software, enterprise agreements, digital imaging equipment, upgrades to the mainframe, and contract programming services which total \$1,016,673 in FY 2004.

### **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 405 Department of Public Safety

**LBB Staff:** JK, JO, WK, VDS, AR