

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

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

**April 29, 2003**

**TO:** Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: SB191** by Carona (Relating to the penalty for reinstatement or issuance of a driver's license following a license suspension or denial for failure to pass a test for intoxication.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB191, As Engrossed: a positive impact of \$429,800 through the biennium ending August 31, 2005.

The bill would amend Section 524.051, Transportation Code, to increase the reinstatement fee for an administrative driver's license revocation. The bill would take effect September 1, 2003 and apply only to reinstatement or issuance of a license applied for that date or after.

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

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	\$214,900
2005	\$214,900
2006	\$214,900
2007	\$214,900
2008	\$214,900

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

Fiscal Year	Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1
2004	\$214,900
2005	\$214,900
2006	\$214,900
2007	\$214,900
2008	\$214,900

**Fiscal Analysis**

The bill would increase the fee a suspended driver licensee pays for failure to pass a test for intoxication. The fee of \$140 would be an increase of \$15 from the current fee of \$125. The bill would add a new subsection to direct the Texas Department of Public Safety (DPS) to remit \$15 to the county treasurer in those counties with a certified breath alcohol testing program when an arrest is made for driving while intoxicated in those counties but the services of a certified technical supervisor employed by DPS are not used, regardless of which law enforcement agency made the arrest in the applicable county.

## **Methodology**

The potential revenue gain to the state was determined by using the following formula: 52,172 failure suspensions without hearings + 6,569 failure suspensions with hearings = 58,741 total failure suspensions – 37,033 potential compliances in the 21 affected counties = 21,708 potential compliances in non-affected counties. It is estimated that 66 percent, or 14,327 individuals ( $21,708 \times 0.66 = 14,327$ ), would submit the \$140 reinstatement fee. The total revenue gain to the state would be  $14,327 \times \$15.00 = \$214,905$  annually.

## **Local Government Impact**

The bill would result in a revenue gain for the 21 counties that maintain a certified breath alcohol-testing program but do not use the services of a certified technical supervisor employed by the Texas Department of Public Safety. A revenue gain of \$366,630 is anticipated for the designated counties for fiscal year 2004 through fiscal year 2008.

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

**LBB Staff:** JK, WK, GG, JO, DLBa, VDS, AR, KG