

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 17, 2003

TO: Honorable Steve Ogden, Chair, Senate Committee on Infrastructure Development and Security

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB249 by Janek (Relating to the use of the Galveston-Port Bolivar ferry operated by the Texas Department of Transportation.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB249, As Introduced: an impact of \$0 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	\$0
2005	\$0
2006	\$0
2007	\$0
2008	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>STATE HIGHWAY FUND</i> 6	Probable Revenue Gain/ (Loss) from <i>STATE HIGHWAY FUND</i> 6	Probable Revenue Gain/ (Loss) from <i>FEDERAL FUNDS</i> 555
2004	(\$2,118,900)	\$45,990	(\$45,990)
2005	(\$100,000)	\$47,310	(\$47,310)
2006	(\$100,000)	\$47,310	(\$47,310)
2007	(\$100,000)	\$47,310	(\$47,310)
2008	(\$100,000)	\$47,310	(\$47,310)

Fiscal Analysis

The bill would amend the Transportation Code to allow an owner of a registered motor vehicle to apply to the Texas Department of Transportation (TxDOT) to receive a sticker that would entitle the vehicle to have priority in boarding the Galveston-Port Bolivar ferry operated by TxDOT until the ferry reaches 50 percent of its vehicle capacity. The bill would require TxDOT to design a sticker, designate the windshield location for placement, and sell the sticker annually to qualified persons for a fee of \$50 for a commercial motor vehicle and \$30 for any other type of motor vehicle. The bill would require all fees collected to be deposited in the State Highway Fund.

The bill would allow TxDOT to adopt necessary rules and would also require TxDOT to prescribe necessary forms to administer the provisions of the bill.

The bill would take effect September 1, 2003.

Methodology

TxDOT estimates that approximately \$2.1 million would be required in fiscal year 2004 for staging area modifications and improvements to existing landings that would have to be made to accommodate the priority boarding vehicles. TxDOT also estimates that an additional cost of \$100,000 each year would be realized for seasonal contracting with additional off-duty police officers to work in the priority staging area.

Based on usage in 2002, TxDOT estimates that an average of 575 commercial vehicles and 5,174 non-commercial vehicles would use the ferry system each day; that 25 percent of the commercial vehicles (144) would pay sticker fees of \$50 annually; and that 25 percent of the non-commercial vehicles (1,293) would pay the \$30 fee annually. The department estimates that revenues of \$45,990 would be generated in the first year and that revenues would increase to \$47,310 during each subsequent year due to an increase in the number of individuals paying fees.

TxDOT reports that the Federal Highway Administration (FHWA) considers priority boarding sticker fees to be a fare. Consequently, any revenues generated would be used to cover costs of the ferry operations in accordance with federal law under 23 USC 129(c)(4). TxDOT also reports that FHWA assessments would result in future generated revenues being offset by an equal reduction in federal funds because both the ferry and its landings received federal funds in prior years.

Technology

Programming costs to modify the Texas Department of Transportation's Registration and Title System for the issuance of the stickers is estimated to be \$18,900 in fiscal year 2004.

Local Government Impact

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

Source Agencies: 304 Comptroller Of Public Accounts, 601 Department Of Transportation

LBB Staff: JK, JO, RR, RT, MW