

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**February 26, 2005**

**TO:** Honorable David Swinford, Chair, House Committee on State Affairs

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB237** by Menendez (Relating to an offense of using a telephone while operating a motor vehicle.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Transportation Code to make it an offense to use a telephone while operating a motor vehicle unless the telephone is used with a hands-free device or the vehicle is stopped. The bill would exempt emergency calls and operators of emergency vehicles. The offense would be a misdemeanor with a minimum fine of \$25 and a maximum fine of \$200. The bill would take effect September 1, 2005.

**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, 601 Department of Transportation

**LBB Staff:** JOB, SR, VDS, SJ