

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 22, 2005

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

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

IN RE: HB891 by Leibowitz (Relating to motor vehicle airbags; providing a penalty.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend Section 501.021 of the Transportation Code to include "airbag deployment history checkboxes" on motor vehicle certificates of title issued by the Texas Department of Transportation (TxDOT).

The bill would amend the Transportation Code by adding Section 501.0721, requiring the seller of a motor vehicle to disclose on the vehicle's certificate of title whether, during the time the seller owned the vehicle, an airbag on the vehicle deployed and whether a deployed airbag was replaced in accordance with the applicable federal safety regulations for an airbag installed in a vehicle of that make, model, and year.

The bill would amend Section 547.614 of the Transportation Code, relating to restrictions on airbags. Under the provisions of the bill, a person who sells a motor vehicle in Texas commits an offense if the person knowingly sells a vehicle equipped with airbags that have not been installed in accordance with the applicable federal safety regulations. The bill would specify that an offense is a third-degree felony if it is proven in a trial of the offense that the defendant has been previously convicted of an offense involving the improper installation of an airbag. The bill would further specify that such an offense is a second-degree felony if it is proven in a trial that as a result of the offense an individual suffered bodily injury. The bill would require the Motor Vehicle Board of TxDOT to suspend for five years the license of a license holder who is convicted of three or more offenses within a five-year period or is convicted of an offense resulting in bodily injury.

Based on the analysis of TxDOT, it is assumed any duties and responsibilities associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect on September 1, 2005.

Local Government Impact

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

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, SR, MW, TG