

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

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

**May 6, 2005**

**TO:** Honorable Todd Staples, Chair, Senate Committee on Transportation & Homeland Security

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

**IN RE: HB1646** by Hughes (Relating to the definition of all-terrain vehicle in the certificate of title and the motor vehicle registration laws.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1646, Committee Report 2nd House, Substituted: a positive impact of \$250,000 through the biennium ending August 31, 2007.

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
2006	\$125,000
2007	\$125,000
2008	\$125,000
2009	\$125,000
2010	\$125,000

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

Fiscal Year	Probable Revenue Gain from <i>GENERAL REVENUE FUND 1</i>	Probable Revenue Gain from <i>STATE HIGHWAY FUND 6</i>	Probable Revenue Gain from <i>TEXAS MOBILITY FUND 365</i>	Probable Revenue Gain from <i>TEXAS EMISSIONS REDUCTION PLAN 5071</i>
2006	\$125,000	\$75,000	\$0	\$375,000
2007	\$125,000	\$75,000	\$0	\$375,000
2008	\$125,000	\$75,000	\$0	\$375,000
2009	\$125,000	\$75,000	\$375,000	\$0
2010	\$125,000	\$75,000	\$375,000	\$0

**Fiscal Analysis**

The bill would amend Sections 501.002 of the Transportation Code to reference the definition of "all-terrain vehicle" under Section 502.001, Transportation Code, in the definition of "motor vehicle." The bill would amend 502.001 of the Transportation Code to include in the definition of "all-terrain vehicle" a vehicle equipped with a bench for the use of the rider that is not a golf cart.

The bill would take effect on September 1, 2005.

## **Methodology**

Based on the information provided by the Texas Department of Transportation (TxDOT), the bill would affect the number and type of vehicles required to be titled as all-terrain vehicles.

Based on the analysis of TxDOT, it is assumed that an estimated 25,000 additional all-terrain vehicle titles will be issued each year with an application fee of \$28 for an annual revenue gain to the General Revenue Fund, State Highway Fund, Texas Emissions Reduction Plan Account (fiscal year 2006 - 2008), Texas Mobility Fund (fiscal years 2009 and 2010), and to the counties. For fiscal years 2006 through 2008, the fee revenue would be distributed as follows: \$5 to the General Revenue Fund; \$3 to the State Highway Fund; \$15 to the Texas Emissions Reduction Plan Account No. 5071; and \$5 retained by the counties. For fiscal years 2009 and 2010, the revenue would be distributed as follows: \$5 to the General Revenue Fund; \$3 to the State Highway Fund; \$15 to the Texas Mobility Fund No. 365; and \$5 retained by the counties.

It is assumed any additional costs and duties associated with implementing the provisions of the bill could be absorbed within TxDOT's existing resources.

## **Local Government Impact**

It is assumed the increase in the number of all-terrain vehicle titles issued would result in an annual revenue gain to the counties of \$125,000 each year.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, SR, TG