

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 18, 2005

TO: Honorable Carlos Uresti, Chair, House Committee on Government Reform

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

IN RE: HB2093 by Oliveira (Relating to safety in bicycling and certain other activities using nonmotorized recreational equipment.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to broaden the safety requirements for bicycles to include other nonmotorized recreational equipment such as skateboards, roller skates, and scooters. The bill would require the Department of Public Safety (DPS) to expand its bicycle safety education program to include nonmotorized recreational equipment and to publicize free helmet offers to the public. DPS indicates program expansion costs could be absorbed by DPS under the scope of its regular duties.

Under current law, fees collected by DPS for attending the safety program are deposited to the credit of the Bicycle Safety Fund. Under the bill, the account would be renamed the Bicycle and Nonmotorized Recreational Equipment Safety Fund. This estimate assumes the program expansion to include nonmotorized recreational equipment would generate minimal additional fee revenue; accordingly, no significant fiscal implication to the State is anticipated.

Also, the Comptroller of Public Accounts indicates the Bicycle Safety Fund was abolished pursuant to funds consolidation legislation in the mid-1990s. This bill would not reestablish the fund. As a result, any state revenue collections resulting from the passage of this bill would be deposited to the General Revenue Fund.

Local Government Impact

The bill would authorize municipalities to collect fines for violations of requirements for use of protective helmets by persons under the age of 15 in municipalities with populations of 50,000 and when using rented equipment. The Office of Court Administration reports that in fiscal year 2004, approximately 10,000 health and safety code violations were filed against juveniles statewide. This estimate assumes the expansion of current safety-code violations related to bicycles to include nonmotorized recreational equipment would generate minimal additional fine revenue to municipalities statewide.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 802 Parks and Wildlife Department

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