

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 13, 2005

TO: Honorable Robert Talton, Chair, House Committee on Urban Affairs

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

IN RE: HB2799 by Talton (Relating to the removal of vehicles and property from a roadway in a political subdivision and to the authority of a political subdivision to establish a traffic incident management program.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would prohibit a local authority from establishing a transportation or mobility enhancement program on a state highway, including a farm-to-market or ranch-to-market road, unless permitted by an agreement between the local authority and the Texas Department of Transportation.

The bill would authorize a political subdivision to establish a traffic incident management program to provide for the safe and efficient removal of personal property from a roadway or right-of-way in the political subdivision. The bill would establish the parameters of the program and of the political subdivision's authority. The political subdivision would not be allowed to impose a fee or charge that exceeds 2 percent of the annual gross receipts for traffic incident management towing. Funds generated by fees or charges assessed must be applied only to the traffic incident management program.

The political subdivision would be allowed to pay the towing company for its services, but if it does not, the owner of a towed vehicle would be liable for reasonable towing and storage fees incurred.

The bill would take effect immediately if it receives the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, DLBa