

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

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

**March 7, 2005**

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

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

**IN RE: SB292** by Carona (Relating to the fee for reinstatement or issuance of a driver's license following a license suspension or denial for failure to pass a test for intoxication.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB292, As Introduced: an impact of \$0 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	\$0
2007	\$0
2008	\$0
2009	\$0
2010	\$0

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

Fiscal Year	Probable Revenue Gain/(Loss) from <i>TEXAS MOBILITY FUND</i> 365
2006	\$207,045
2007	\$207,045
2008	\$207,045
2009	\$207,045
2010	\$207,045

**Fiscal Analysis**

The bill would increase the fee for reinstatement or issuance of a driver's license following a license suspension or denial for failure to pass a test for intoxication from \$125 to \$140, in addition to any other fee required by law. If the person was arrested in a county that maintains a certified breath alcohol testing program but does not use the services of a certified technical supervisor employed by the Department of Public Safety (DPS), the bill would require DPS to remit \$15 to the treasurer of the county. The \$15 would be used to defray the costs incurred for the use of the services of a certified technical supervisor employed by the county.

The bill would take effect September 1, 2005, and would only apply to the reinstatement or issuance of a driver's license applied for on or after September 1, 2005.

## **Methodology**

The Department of Public Safety (DPS) estimates 53,738 annual suspensions with 32,824 (61 percent) occurring in the 21 counties that maintain a certified breath alcohol-testing program that do not use the services of a certified technical supervisor employed by the department. The difference equals the number of cases with potential revenue to the state ( $53,738 - 32,824 = 20,914$ ). DPS estimates the payment compliance rate at 66 percent. Based on a 66 percent payment compliance rate, 13,803 individuals would submit the \$140 reinstatement fee. Thus, the potential revenue gain by the state would be \$207,045 ( $\$15 \times 13,803$ ) annually deposited to the credit of the Texas Mobility Fund.

## **Local Government Impact**

The bill would result in a revenue gain for the 21 counties that maintain a certified breath alcohol-testing program but do not use the services of a certified technical supervisor employed by the Department of Public Safety. The estimated revenue gain for the designated counties is \$324,960 for fiscal years 2006 through 2010 ( $32,824 \text{ cases} \times 66 \text{ percent payment compliance} \times \$15$ ). The designated counties are: Aransas, Bexar, Cameron, Collin, Dallas, Denton, Ector, El Paso, Harris, Hidalgo, Howard, Jefferson, Midland, Nueces, Parker, San Patricio, Starr, Tarrant, Taylor, Travis, and Willacy.

**Source Agencies:** 304 Comptroller of Public Accounts, 405 Department of Public Safety

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