

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 20, 2005

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

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

IN RE: SB1061 by Whitmire (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 2nd House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Transportation Code as it relates to procedures regarding the removal of vehicles and property from a roadway and the storage of towed vehicles.

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 (TxDOT).

A political subdivision would be authorized 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. 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