

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**March 31, 2005**

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

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

**IN RE: SB1061** by Whitmire (Relating to the authority of the Texas Department of Transportation to review certain traffic programs of local authorities.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Transportation Code to prohibit a local authority from establishing a transportation or mobility enhancement program on a state highway. This would include a farm-to-market or ranch-to-market road, such as a program by which the municipality receives revenue for the towing of vehicles located on the highway, unless permitted by agreement with the Texas Department of Transportation (TxDOT). TxDOT would be required to establish rules related to the agreement with a municipality to establish a transportation or mobility enhancement program. The bill would take effect September 1, 2005.

TxDOT indicates any activities related to implementation of the provisions of the bill could be handled using existing revenues.

**Local Government Impact**

If a local authority currently has a transportation or mobility enhancement program on a state highway and would therefore have to seek an agreement with TxDOT in order to continue the program, the local authority would experience administrative costs that would likely be insignificant. If TxDOT were to deny approval of the program, and therefore no agreement is entered, the local authority would be required to discontinue the program. This would result in the loss of a revenue source if the program had generated revenue. If the revenue had specifically offset costs of the program, discontinuation of the program would offset the loss of the revenue source.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, SR, WP, DLBa