

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

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 25, 2007**

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

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

**IN RE: HB727** by Hopson (Relating to the wearing of protective headgear by certain motorcycle operators and passengers.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Transportation Code by deleting the requirements in current law that motorcycle operators and passengers must wear a motorcycle helmet unless they are 21 years of age and have successfully completed a motorcycle safety course or carry \$10,000 or more in medical insurance. The bill would instead require only that an operator and the passenger on a motorcycle must wear a helmet if they are younger than 21 years of age.

The bill also would prevent a peace officer from stopping or detaining a person operating or riding as a passenger on a motorcycle solely to determine if a person is violating the helmet law.

Under the section of the law that would be removed (Section 661.003(c), Transportation Code), the Department of Public Safety (DPS) is currently required to provide an application form for obtaining a sticker and to provide that sticker for showing proof of completion of a motorcycle safety course. The DPS collects a \$5 fee to offset the cost of the sticker. While the fee would no longer provide revenue, there would also no longer be related costs incurred by the department.

It is anticipated that the change in what constitutes an offense would have minimal fiscal impact for training state and local officers on the change and for enforcement.

**Local Government Impact**

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

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, KJG, DB