

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 24, 2007

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

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

IN RE: HB3594 by Raymond (Relating to motor vehicle inspection facilities near the border of this state and Mexico.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3594, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2009.

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
2008	\$0
2009	\$0
2010	\$0
2011	\$0
2012	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>STATE HIGHWAY FUND</i> 6	Probable (Cost) from <i>FEDERAL FUNDS</i> 555
2008	(\$5,572,000)	(\$22,288,000)
2009	\$0	\$0
2010	(\$1,116,145)	\$0
2011	(\$833,533)	\$0
2012	(\$833,533)	\$0

Fiscal Year	Change in Number of State Employees from FY 2007
2008	0.0
2009	0.0
2010	16.0
2011	16.0
2012	16.0

Fiscal Analysis

The bill would amend Section 201.613, Transportation Code, to require the Texas Department of Transportation (TxDOT) to erect and maintain border inspection facilities in the Pharr, Laredo, and El Paso districts for the inspection of motor vehicles for compliance with federal and state commercial motor vehicle regulations. The bill would authorize a municipality with a facility that served a bridge with more than 900,000 commercial border crossings in fiscal year 2002 to choose the location of a facility within the municipality, or within the municipality's extraterritorial jurisdiction that is within one mile of an international border and within one mile of the U.S. Customs and Border Protection federal port of entry. The location would have to be selected before the later of the 180th day after TxDOT made a request for a location, or the effective date of the bill. The bill would require the municipality to choose a location that does not impair the receipt of federal or state funds for this purpose. The bill would require TxDOT to spend money appropriated during the 76th Legislature for Section 201.613 of the Transportation Code, as added by the 76th Legislature, Regular Session, 1999, or money received from the federal government to establish the border inspection facilities as specified by the bill.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2007.

Methodology

TxDOT indicates the bill would require the relocation or establishment of a new border inspection facility in Laredo. Based on the analysis of TxDOT, it is assumed the establishment of a new facility in Laredo would require three years of design and planning and result in a total cost of \$27.9 million for design, environmental assessments, architectural and engineering services, and construction. It is assumed the new facility would not become operational until fiscal year 2010. TxDOT indicates that the project would be eligible for federal matching funds at 80 percent of the project costs.

Pursuant to Section 403.071, Government Code, appropriations for new construction contracts are not available for payment of claims later than four years after the end of the fiscal year for which the appropriation was made. Therefore, construction appropriations made by the 76th Legislature for the 2000-01 biennium would not be available to implement the provisions of the bill. For the purposes of this analysis, it is assumed TxDOT would finance the establishment of the new facility with available construction appropriations out of the State Highway Fund for the 2008-09 fiscal biennium.

Based on the analysis and information provided by the Department of Public Safety (DPS), it is assumed staffing for the new inspection facility would require ten civilian commercial motor vehicle inspectors, five trooper positions, and one sergeant for total salary costs of \$577,848 each year. Employee benefits costs associated with the 16 positions (16.0 FTEs) are estimated to be \$163,473 each year (28.29 percent of salaries). Additional costs for information technology items, equipment, travel, and miscellaneous operating expenses are estimated to be \$374,824 in fiscal year 2010 and \$92,212 each year thereafter.

Technology

Technology costs associated with the implementation of the bill are estimated to be \$6,008 in fiscal year 2010 and \$1,311 each year thereafter for computers, printers, and enterprise agreements.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House as to its probable fiscal implication on units of local government.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601 Department of Transportation

LBB Staff: JOB, CL, MW, TG