

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 26, 2007

TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Tom Craddick, Speaker of the House, House of Representatives

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

IN RE: HB3849 by Hilderbran (Relating to the registration of all-terrain vehicles by the Texas Department of Transportation.), **Conference Committee Report**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3849, Conference Committee Report: 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 Revenue (Loss) from <i>STATE HIGHWAY FUND</i> 6
2008	(\$43,000)
2009	(\$43,000)
2010	(\$43,000)
2011	(\$43,000)
2012	(\$43,000)

Fiscal Analysis

The bill would amend the Transportation Code by modifying the definition of “all-terrain vehicle” and repealing provisions requiring registration with the Texas Department of Transportation (TxDOT) of all-terrain vehicles for certain off-highway use and the associated annual registration and all-terrain vehicle safety fees. The bill would require certain safety apparel to be worn by an operator or passenger on an off-highway vehicle that is operated on public land and would establish an offense under this provision is a Class C Parks and Wildlife Code misdemeanor. 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

Under the provisions of the bill, TxDOT would no longer register all-terrain vehicles (ATV) for off-highway use; and the \$6 registration fee and \$6 ATV safety fee would no longer be collected and deposited to the State Highway Fund. According to the Comptroller, approximately \$23,000 in ATV registration fees and \$20,000 in ATV safety fees were collected in fiscal year 2006. Therefore, it is assumed the provisions of the bill would result in an annual revenue loss to the State Highway Fund of approximately \$43,000 each year.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation, 304 Comptroller of Public Accounts, 405 Department of Public Safety, 802 Parks and Wildlife Department

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