

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

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

**May 17, 2007**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate

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

**IN RE: SB545** by Carona (Relating to the enforcement of commercial motor vehicle safety standards by certain peace officers.), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB545, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2009.

**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 Savings/(Cost) from <i>STATE HIGHWAY FUND</i> 6	Change in Number of State Employees from FY 2007
2008	(\$332,446)	2.0
2009	(\$177,557)	2.0
2010	(\$177,865)	2.0
2011	(\$226,016)	2.0
2012	(\$178,480)	2.0

**Fiscal Analysis**

The bill would amend Transportation Code, Section 644.101(b), by allowing a police officer in a municipality with a population of 50,000 (changed from 100,000) or more to be eligible to become certified to enforce commercial motor vehicle safety standards. The provisions of the bill would also allow a police officer in a municipality with a population of 25,000 or more any part of which is located in a county with a population of 500,000 (changed from 2 million) or more, to also be eligible to become certified to enforce commercial motor vehicle safety standards. The bill also amends the Code of Criminal Procedure, Section 45.051(f) which states which offenses this article does not apply to. The bill would take effect on September 1, 2007.

**Methodology**

The Department of Public Safety (DPS) states that reducing the population threshold from the current level of 100,000 down to 50,000 would allow an additional 31 municipalities to become eligible to

apply for certification to enforce the commercial motor vehicle safety standards. In addition, reducing the county population threshold from its current level of 2 million down to 500,000 would allow municipalities of 25,000 population or more, including 5 counties (Tarrant, Bexar, Travis, Collin, and Denton), to become eligible to apply for certification to enforce commercial motor vehicle safety standards. A total of 12 municipalities would be eligible for certification in these 5 additional counties. DPS states that a minimum of 43 additional municipalities could apply for certification from the agency to enforce the commercial motor vehicle safety standards.

DPS estimates that 2 to 5 police officers per municipality apply for certification when a municipality becomes newly certified to enforce commercial motor vehicle safety standards, totaling an additional 86 to 215 police officers requiring training. DPS estimates that the Commercial Vehicle Enforcement Training Unit would need two additional staff instructors (two Sergeants under Schedule C4, step 6) to address the increase in potential certifications. Travel costs incurred from training of the police officers are also included in this cost estimate. Other operating costs, including maintenance and repair of office machines and computer equipment, computer supplies, non-capital computer equipment, furniture and equipment, maintenance and repair of vehicles, and other training expenses, are also included in the cost estimate.

### **Technology**

This analysis includes technology costs estimated for computers, printers, and enterprise software agreements totaling \$5,462 in 2008. There would be a technology impact of \$298 per year in fiscal years 2009 through 2012 for continued enterprise software agreements.

### **Local Government Impact**

Costs to municipalities or police departments would depend upon the number of officers who elect to take the certification training from DPS.

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

**LBB Staff:** JOB, KJG, GG, LG