

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 9, 2009

TO: Honorable Joseph Pickett, Chair, House Committee on Transportation

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

IN RE: HB219 by Menendez (Relating to an offense of using a wireless communication device while operating a motor vehicle in a school crossing zone.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to prohibit an operator of a motor vehicle from using a wireless communication device in a school zone. The bill provides an affirmative defense for such operators, as well as operators of a passenger bus when a minor passenger is present, in cases of an emergency call. The bill exempts operators of authorized emergency vehicles. The bill establishes a fine for this offense at not less than \$125 and not more than \$200. The bill establishes that a municipality or county will remit 50 percent of fines collected to the state, which will be credited to the foundation school fund.

Revenue generated from imposition of the fine would vary by government entity, depending on the number of offenses occurring in each and the discretion of the judge in the amount of fine imposed. While it is unknown how many violations would occur or how much fine would be imposed on each, it is assumed the revenue gain would not be significant.

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, JGM, JSc, HC