

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: HB220 by Menendez (Relating to prohibitions on the use of a wireless communication device while operating a motor vehicle.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to prohibit the use of a wireless communication device while operating a motor vehicle unless the vehicle is stopped, a hands-free device is used, or the device is being used to make an emergency call to certain emergency services. An offense would be a misdemeanor punishable by a fine of between \$25 and \$100 if the offense occurs outside of a school zone, or between \$125 and \$200 if it occurs within a school zone.

The Department of Public Safety reports that the agency would have to make some programming changes in its driver license system. Based on an analysis provided by the agency, it is assumed that associated costs could be absorbed within existing resources.

It is anticipated that costs for enforcement could be absorbed within current resources and that fines collected would not result in a significant revenue gain to the state or to local governments.

Local Government Impact

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

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

LBB Staff: JOB, KJG, DB, HC