

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 7, 2009

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

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

IN RE: HB438 by Lucio III (Relating to the creation of an offense for certain uses of a wireless communication device while operating a motor vehicle.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Transportation Code to prohibit an operator of a motor vehicle from using a wireless communication device to read, write, or send a text message while operating a motor vehicle unless the vehicle is stopped or if the operator is a peace officer or emergency response provider using the device in connection with official duties.

Costs associated with enforcement could be absorbed using existing resources. 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.

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, JI, HC