

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 21, 2009**

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

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

**IN RE: HB1343** by Menendez (Relating to blind and disabled pedestrians and failure of the operator of a motor vehicle to yield the right-of-way.), **As Introduced**

**Depending on the number of offenses and on the amount of fines imposed by the courts, there could be a revenue gain to the state of up to \$500,000 annually.**

The bill would amend the Transportation Code, relating to blind and disabled pedestrians and failure of the operator of a motor vehicle to yield the right-of-way to those pedestrians. The bill would amend Chapter 552 (pedestrians) to create a fine of up to \$4,000 for a motor vehicle driving offense resulting in injury or death to a blind, visually impaired, or disabled person.

The bill would amend Chapter 542 (rules of the road) to create a new General Revenue Fund Account—Visually Impaired Safety Services. Ten percent of the collections from the new fine, up to a maximum of \$500,000 per fiscal year, would be sent to the Comptroller of Public Accounts for deposit into the new General Revenue Fund account. Money in the new account could be appropriated only to the Department of Assistive and Rehabilitative Services for various services to visually impaired persons.

The bill would take effect September 1, 2009.

This legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in the bill would be subject to funds consolidation review by the current Legislature.

Although the bill would not make an appropriation, it would establish the basis for an appropriation.

Because the level of the fine created by the bill would be set by a judge, the amount of collections from the fine cannot be estimated; therefore, the exact revenue gain to the state is unknown. However, based on the maximum amount of revenue allowed to be deposited into the account, if numerous offenses occurred and depending on fines imposed by the courts, there could be a revenue gain to the state of up to \$500,000 annually.

**Local Government Impact**

Fiscal impact to units of local government would depend on the number of offenses prosecuted and the discretion of the judge in imposing the fine.

**Source Agencies:** 304 Comptroller of Public Accounts, 538 Assistive and Rehabilitative Services, Department of

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