

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 27, 2009

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

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

IN RE: HB2138 by McClendon (Relating to certain fees imposed in connection with the operation of overweight and oversize vehicles.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would implement recommendations in the Legislative Budget Board *Government Effectiveness and Efficiency Report* entitled, "Amend the Structure of the Highway Maintenance Fee to Better Align it with the Cost of Road Maintenance and Repairs."

The bill would require the Texas Department of Transportation (TxDOT) to evaluate highway use by oversize/overweight vehicles and determine whether the fees charged for the permits are adequate to offset the costs of additional damage to the highway caused by those vehicles. The bill would require TxDOT to recommend permit fees adjustments to reflect the costs of damage to highways caused by oversize/overweight vehicles and submit a report of its finding to the Legislative Budget Board no later than October 1 of each even-numbered year.

The bill would require TxDOT to adopt rules and establish a schedule of highway maintenance fee rates based on vehicle weight and miles traveled for all vehicle weight categories. The schedule of rates would have to provide for an increase in the rates according to the weight of a vehicle, and not result in an increase or decrease in the amount of revenue realized from the collection of the highway maintenance fees in the state fiscal year that began on September 1, 2008. The bill would take effect on September 1, 2009.

It is assumed that TXDOT could absorb any additional responsibilities or costs within the agency's existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, KJG, JI, ACI