

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 24, 2009

TO: Honorable Yvonne Gonzalez Toureilles, Chair, House Committee on Agriculture & Livestock

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

IN RE: HB3143 by Gonzalez Toureilles (Relating to weight limits on a vehicle loaded with certain agricultural products.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Section 621.508 of the Transportation Code to authorize the owner of a motor vehicle to obtain from the commissioners court of the county, through the county judge, an excess weight permit that allows the operation of the vehicle described in the permit on the roads in the county and with a gross weight up to 12 percent heavier than the weight authorized by law for that vehicle. The fee for a permit that is valid for any period during which the permit holder operates the vehicle may not exceed \$500. The fee for a permit that is valid for one year from the date of issuance may not exceed \$225.

The issuance of a permit would not authorize the operation of a vehicle with a gross weight heavier than authorized by law for that vehicle on a bridge if the weight of the vehicle exceeds the weight limit established by the Texas Transportation Commission or by the county commissioners court.

Other certain county permits and restrictions would not apply to a permit under Section 621.508.

The bill would take effect immediately if it was to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2009.

The Texas Department Transportation (TxDOT) indicates that the provisions of the bill would provide the option for certain overweight vehicles to operate on any roadway in a county under permit issued by that county instead of a permit issued by TxDOT, which would result in a loss of permit fee revenue to the state. The impact to state revenue from lost permit fees would depend on the number of overweight vehicle operators that would choose to operate under the county permit rather than the state permit. Based on the analysis of TxDOT, it is assumed the provisions of the bill would not result in a significant impact to the state revenues.

Local Government Impact

According to analysis by the Texas Association of Counties, a county would experience a revenue gain from imposing a permit fee; however, it is not anticipated that the fee would fully compensate a county for the damages to county roads.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, SZ, DB, TG