

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 28, 2009

TO: Honorable Yvonne Davis, Chair, House Committee on Urban Affairs

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

IN RE: HB3558 by Phillips (Relating to the authority of a local authority to require a person who violates a photographic traffic signal enforcement system to take an intersection safety course.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to authorize a local authority to require that the owner of a motor vehicle, in addition to paying the already authorized civil penalty for violating a photographic traffic signal system, to also successfully complete an intersection driving safety course as described in a new section of the statute that would be added by the bill. The bill specifies the requirements of an approved intersection driving safety course. A local authority would not be allowed to impose a civil penalty or require an intersection safety course if the local authority commits a violation under Section 707.003, Transportation Code.

The bill would require the addition to a notice of violation that, if applicable, a person incurs an additional penalty if the person fails to complete a required intersection safety course by the date specified in the notice.

The bill would allow the owner of a motor vehicle to present evidence proving the owner was not driving the vehicle at the time of the violation, and contest the imposition of a civil penalty and the intersection safety course by an affidavit, through testimony at an administrative hearing, or by written declaration under penalty of perjury.

A county tax assessor-collector or the Texas Department of Transportation could refuse to register a motor vehicle if the owner is delinquent in completing the intersection driving safety course imposed.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety, 601 Department of Transportation

LBB Staff: JOB, SD, TP