

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 16, 2009

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

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

IN RE: SB1507 by Carona (Relating to motor vehicles; providing penalties.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1507, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/ (Loss) from <i>Texas Emissions Reduction Plan 5071</i>	Probable Revenue Gain/ (Loss) from <i>State Highway Fund 6</i>	Probable Revenue Gain/ (Loss) from <i>Counties</i>
2010	\$0	\$68,100,000	\$30,550,000
2011	\$0	\$82,376,250	\$34,989,688
2012	\$0	(\$3,311,250)	(\$5,465,625)
2013	(\$12,290,000)	(\$4,818,750)	(\$6,480,938)
2014	(\$18,858,000)	(\$6,326,250)	(\$7,496,250)

Fiscal Analysis

The bill would amend provisions of the Transportation Code relating to motor vehicle titling and registration, and adding requirements to the Texas Department of Transportation (TxDOT), and the Texas Department of Public Safety (DPS).

The bill would recodify and amend Chapters 501, 504 and 520 of the Transportation Code, to add a new electronic titling system, including the payment of fees by electronic funds transfer or credit card; provide an extended registration for commercial fleet vehicles (effective September 1, 2009); revise the administration, marketing and sale of specialty license plates and personalized license plates, including the private vendor contract terms and conditions; change motor vehicle registrations, including electronic fee payments, reclassifications and fee amounts, and the transfer and removal of license plates upon the sale or transfer of a

vehicle; amend the duties and responsibilities of tax assessor-collectors; and require joint studies by TxDOT and DPS on the consolidation of motor vehicle registrations and compulsory inspection procedures, and on the merger or consolidation of similar information collected separately by each agency.

The bill would set the fee for a title application at \$28, regardless of the county in which the title application was taken; and would repeal provisions requiring the deposit of \$5 from each fee to the credit of the Texas Emissions Reduction Plan Fund. This provision would take effect on January 1, 2013.

The bill would require TxDOT to develop and implement a system to allow an owner of a commercial fleet of vehicles consisting of at least 25 nonapportioned vehicles used for business purposes to register vehicles in the commercial fleet for an extended registration period of no less than one year and no greater than 8 years. The bill would require an annual fleet registration fee of \$10 per fleet vehicle, a one-time license plate manufacturing fee of \$1.50 for each fleet vehicle license plate, and the advance payment of all registration license taxes and fees for the entire registration period. The fleet registration provision would take effect on September 1, 2009.

Except as otherwise provided by the bill, the bill would take effect on January 1, 2013.

Methodology

Based on the analysis of the Comptroller's office, it is assumed the provisions of the bill that establish a single \$28 title application fee and remove the provision requiring the deposit of \$5 from title fees collected in certain "non-attainment" counties to the Texas Emissions Reduction Plan (TERP) Fund Account would result in a loss of revenue to the TERP Fund Account No. 5071 beginning in fiscal year 2013. Under current law, title applications taken in a resident's county located within a non-attainment area as defined under Section 107(d) of the federal Clean Air Act (42 U.S.C. Section 7407), as amended, or in an affected county as defined in by Section 386.001, Health and Safety Code, currently require a payment of \$33 for each application, \$5 more than the \$28 fee charged in all other counties. The additional \$5 fee is deposited to TERP Account No. 5071.

TxDOT estimates there are approximately 400,000 fleet vehicles in Texas and that approximately 37,500 fleet vehicles would be added each fiscal year (FY). Based on the analysis of TxDOT, it is assumed half of the current fleet vehicles (200,000) would apply for an 8-year fleet registration in FY 2010, the remaining half would apply for a 8-year fleet registration in FY 2011, and an additional 37,500 would apply in FY 2011 and each year thereafter. All applicable fees would be paid in advance for the 10-year period. For the purposes of this analysis, it is assumed 67 percent of the registration fees would be deposited to the State Highway Fund and 33 percent would be retained by the counties. The tables above also reflect the impact of the \$10/\$5 optional county road and bridge fee, of which 97 percent is deposited to county road and bridge funds and 3 percent to the State Highway Fund. It is assumed half of the fleet vehicles would be registered in counties assessing the \$10 optional fee and the remainder would be registered in counties assessing a \$5 optional fee. Based on current law, the new \$10 fleet management fee and one-time \$1.50 plate manufacturing fee would be deposited to the State Highway Fund. The advance payment of all applicable fees would result in a revenue gain in the initial year of the fleet registration and a revenue loss in subsequent years as the fleet vehicles would not be required to pay annual fees until the term of the fleet registration has expired.

Based on the analysis of TxDOT and DPS, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

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

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601 Department of Transportation

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