

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**May 8, 2009**

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

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

**IN RE: SB1508** by Carona (Relating to the authority of certain transportation and transit authorities to enforce compliance with high occupancy vehicle lane restrictions by an automated enforcement system; providing for the imposition of penalties.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would add Section 451.0615 to Subchapter B, Chapter 451, Transportation Code, and Section 452.0615 to Subchapter B, Chapter 452, Transportation Code, to authorize the board of certain metropolitan rapid transportation authorities and regional transportation authorities to, by resolution, implement an automated enforcement system for enforcing compliance with instructions for high occupancy vehicle lane restrictions. The new Section 451.0615 would not apply to an authority in which the principal municipality has a population of more than 1.9 million.

The resolution would be required, among other conditions, to provide for a penalty of not more than \$100 and would require that a peace officer commissioned by the authority review images produced by the system and notarize the notice of the violation before it is mailed to the vehicle owner. The resolution would be prohibited from imposing a penalty for a vehicle that is operated in violation of the minimum number of persons requirement or for the purpose of enforcing compliance with posted speed limits.

**Local Government Impact**

It is assumed that an applicable authority would implement an automated enforcement system if sufficient resources existed.

**Source Agencies:**

**LBB Staff:** JOB, KJG, DB