

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 20, 2011**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB378** by Guillen (Relating to stationary tow trucks on a highway; providing a penalty.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Transportation Code to require a driver, when passing a stationary tow truck using authorized equipment, to vacate the lane closest to the tow truck if the highway has two or more lanes or to slow to 20 miles per hour. An offense for a violation would be a misdemeanor punishable by a fine of \$1 to \$200; a misdemeanor punishable by a fine of \$500 if property damage occurs; or a Class B misdemeanor punishable by a fine of not more than \$2,000, confinement in jail for a term not to exceed 180 days, or both.

**Local Government Impact**

Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

**Source Agencies:** 452 Department of Licensing and Regulation

**LBB Staff:** JOB, SD, KJG, AG, MW, CWS, TP