

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

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

**March 22, 2011**

**TO:** Honorable Larry Phillips, Chair, House Committee on Transportation

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

**IN RE: HB1363** by McClendon (Relating to the transfer of certain functions related to oversize and overweight vehicles from the Texas Department of Transportation to the Texas Department of Motor Vehicles.), **As Introduced**

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

The bill would amend the Transportation Code to transfer the powers, duties, functions, programs, and activities of the Texas Department of Transportation (TxDOT) relating to oversize and overweight vehicles under Chapters 621, 622, and 623 to the Texas Department of Motor Vehicles (TxDMV) no later than January 1, 2012. The bill would also require the transfer to include all funds appropriated by the legislature for the powers, duties, functions, programs, and activities relating to oversize and overweight vehicles in addition to obligations and contracts as well as all property and records in the custody of TxDOT for this purpose. The bill would allow TxDOT and TxDMV to agree by memorandum of understanding (MOU) to transfer from TxDOT to TxDMV any personnel whose functions predominantly involve powers, duties, obligations, functions, and activities related to oversize and overweight vehicles. The bill would require TxDOT and TxDMV to enter into a MOU that would (1) identify the applicable powers and duties transferred by the bill; and (2) establish a plan for the identification and transfer of records, personnel, property, and unspent appropriations of TxDOT used for the purposes of TxDOT's powers, duties, functions, programs, and activities relating to oversize and overweight vehicles.

Based on information provided by TxDOT, it is assumed that 116 FTEs and approximately \$8 million in funding each year would be transferred to TxDMV. Also based on the analysis of TxDOT and TxDMV, this analysis assumes that all duties and responsibilities associated with implementing the provisions of the bill could be covered with existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation, 608 Department of Motor Vehicles

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