

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

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

**March 25, 2011**

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

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

**IN RE: HB1762** by Harper-Brown (Relating to regulation of high occupancy vehicle lanes operated, managed, or maintained by a regional transportation authority; providing penalties.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Transportation Code to authorize a regional transportation authority (RTA) to regulate or prohibit improper entrance into, exit from, and vehicle occupancy in high occupancy vehicle lanes operated by the authority. An RTA would be allowed to establish reasonable methods to enforce regulations and to pass a resolution to create a penalty for a violation not to exceed \$100.

The bill also would create a Class C misdemeanor if a person fails to pay a penalty within 30 days after a violation relating to improper use of a high occupancy vehicle lane. A Class C misdemeanor is punishable by a fine of not more than \$500.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** JOB, KJG, TP