

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

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

**April 9, 2011**

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

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

**IN RE: HB2767** by Strama (Relating to the parking of construction equipment and certain motor vehicles; creating an offense.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Transportation Code to prohibit the parking of construction equipment, not involved in residential construction, within 30 feet of the nearest edge of a highway with a posted speed limit of more than 35 miles per hour if the equipment is not in use and the operator is not in the area.

An offense under this section would be a Class C misdemeanor which is punishable by a fine of not more than \$500. The bill would establish defenses to the prosecution if the equipment is parked at least 10 feet from the nearest edge of the roadway and a barricade separates the equipment from the roadway, the location makes it impossible to comply with the requirements, or the person who parked the equipment is in compliance with the Texas Manual on Uniform Traffic Control Devices.

**Local Government Impact**

Costs associated with enforcement and prosecution, and revenue gain from fines imposed and collected would vary depending on the number of offenses committed; however, the amounts are not anticipated to have a significant fiscal impact. No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety

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