

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 30, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB2612** by Flynn (Relating to prohibitions and restrictions on using county roads in certain circumstances.), **Committee Report 1st House, Substituted**

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

The bill would amend Chapter 251 of the Transportation Code to provide that a road supervisor may prohibit or restrict the use of a road or a section of a road by a vehicle that will unduly damage the road under specified circumstances, if an alternative, more suitable road is available within the county at the time. A person required to operate or move a vehicle or other object on an alternate route would not be liable for damage sustained by the road, including a bridge, unless the act or omission resulting in the damage constitutes wanton, willful, and intentional misconduct; or gross negligence.

**Local Government Impact**

There could be a negative fiscal impact to a county for damage caused to a road or a bridge by a motor vehicle operator that is required to use an alternate route under specified circumstances; however, the amounts would vary depending on the amount of incidences, and road or bridge repair costs incurred.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, TP