

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

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

**April 15, 2013**

**TO:** Honorable Patricia Harless, Chair, House Committee on Environmental Regulation

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

**IN RE: HB3812** by Howard (Relating to a county air quality fee imposed at the time of an emissions-related inspection.), **As Introduced**

The provisions of the bill could provide an indeterminate amount of revenue for the state.

The bill would amend the Health and Safety Code to authorize counties that have incidents that approach or exceed eight-hour national ambient air quality standards to impose an air quality fee to be collected at the vehicle emissions inspection. The bill would stipulate the fee may not exceed the amount for a vehicle emissions inspection. The bill would require participating counties to use the fees for low income vehicle repair assistance, accelerated vehicle retirement or certain local initiatives. Participating counties that adopt this fee are required to notify the Department of Public Safety (DPS) no later than the 60th day before the fee goes into effect.

The bill would also amend the Transportation Code to require DPS to notify all vehicle emissions inspections stations within a participating county of the fee. Inspection station operators would be required to collect the fees at the time of the vehicle inspection, and send the fee collections to DPS. The bill would authorize DPS to collect an administrative cost not to exceed two percent of the collected fees, and would direct DPS to send the remainder of the collected fees to the county. The bill would stipulate the collections may not be sent to the Comptroller or credited to an account or fund in the state treasury.

There could be an indeterminate amount of revenue to the state based on the provision that DPS would receive two percent of the collections of the affected counties. However, since the number of counties that would choose to participate is unknown, the amount of potential revenue gained is indeterminate.

The bill would take effect on September 1, 2013.

**Local Government Impact**

The bill would impact the revenues of participating counties to an indeterminate degree. The revenues generated would depend upon the number of participating counties and the amount of the fee imposed by each county..

The Department of Public Safety (DPS) estimates that the following counties could potentially be impacted by the bill: Brazoria, Collin, Dallas, Denton, El Paso, Ellis, Fort Bend, Galveston, Harris, Johnson, Kaufman, Montgomery, Parker, Rockwall, Tarrant, Travis and Williamson.

**Source Agencies:** 304 Comptroller of Public Accounts, 405 Department of Public Safety  
**LBB Staff:** UP, SZ, AI, JAW