

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 19, 2013

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB28 by Zaffirini (Relating to the creation of an offense for use of a handheld wireless communication device for text-based communication while operating a motor vehicle.),
As Introduced

No significant fiscal implication to the State is anticipated.

This bill would amend Section 545.425 of the Transportation Code to prohibit using a handheld wireless communication device to read, write, or send a text-based communication while operating a moving vehicle that is not stopped. The bill sets forth certain exceptions and defenses to prosecution for this offense.

The Office of Court Administration (OCA) reports the offense would be a Class C misdemeanor punishable by a fine not to exceed \$200. OCA anticipates any additional work resulting from the passage of the bill could be reasonably absorbed within current resources. The Department of Public Safety estimates there would be a minimal cost associated with implementing the provisions of the bill. It is anticipated additional cases could result in more court fines and costs being collected, but the number of convictions and state revenue generated are not expected to be significant.

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.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405
Department of Public Safety, 601 Department of Transportation

LBB Staff: UP, TP, AG, JI, MMe