

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 24, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1671 by Nichols (Relating to the fines for and other enforcement of laws providing for the operation of oversize or overweight vehicles.), **As Engrossed**

Although the bill is expected to generate revenue for the state and for units of local government, the fiscal implications of the bill cannot be determined at this time due to a lack of data on the violations subject to the penalties.

The bill would amend civil and criminal penalties for certain violations of the Transportation Code or Texas Transportation Commission rules relating to oversize or overweight vehicles. The bill specifies criminal offense levels, maximum penalties, and court jurisdiction for specific infractions.

The bill would increase penalties under the Transportation Code Chapter 621, relating to vehicle size and weight, and Chapter 623, relating to permitting of certain vehicles. Under the terms of the bill, penalties assessed under both chapters would be divided equally between the assessing governmental entity and the state. The bill specifies certain limited circumstances in which counties may keep all of an assessed penalty. The bill creates a new law enforcement fee of \$5,000 accompanying administrative penalties for false information on certain certificates and provides that the fee is for deposit in the general revenue fund and available for appropriation only for law enforcement purposes.

The Comptroller of Public Accounts reports that data on which to calculate the amount of state revenue the bill would generate is not available and the fiscal impact of the bill cannot be estimated. The Department of Public Safety, the Texas Department of Transportation, and the Department of Motor Vehicles report that the bill will not have a fiscal impact on these agencies. The Office of Court Administration does not anticipate any significant fiscal impact to the court system resulting from the bill.

This analysis assumes that the bill will increase state revenue, and that depending on the number and type of assessed penalties, the amount of revenue generated may be significant. However, the fiscal implications of the bill cannot be determined due to a lack of data on the violations that will be subject to penalties.

Local Government Impact

The bill would increase fine revenue to counties; however, future revenue generated under the bill cannot be estimated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601 Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, AM, AG, MW, KKR