

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 9, 2013

TO: Honorable Robert Nichols, Chair, Senate 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 Introduced**

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 fiscal implication to the state is not expected to be significant; units of local government will experience an increase in revenue generated.

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 623, Subchapter B, relating to permitting of certain vehicles. Existing statute specifies that half of the penalties assessed for a violation of this subchapter's permitting requirement are remitted to the Comptroller. The bill increases the criminal penalty for a violation of the permitting requirement in Transportation Code Chapter 623, Subchapter D, relating to moving heavy equipment, which is paid to the State Highway Fund No. 06. The bill specifies that other criminal and civil penalties contained in the bill are to be paid to the county in which the person was convicted of a criminal offense.

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 the 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, but the amount of additional revenue resulting from the bill is not expected to be significant.

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, AG, MW, AM, KKR