

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

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 27, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB1888** by Capriglione (Relating to punishment for the offense of driving a commercial motor vehicle without a commercial driver's license; increasing a penalty.), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1888, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2017.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	\$0
2017	\$0
2018	\$0
2019	\$0
2020	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Revenue Gain from <i>Texas Mobility Fund</i> 365
2016	\$336,000
2017	\$336,000
2018	\$336,000
2019	\$336,000
2020	\$336,000

**Fiscal Analysis**

The bill would amend the Transportation Code to:

- 1) Change the punishment for operating a commercial motor vehicle without a commercial driver's license from a Class C misdemeanor to a misdemeanor punishable by a fine not to exceed \$500, or a misdemeanor punishable by a fine not to exceed \$1,000 in the event that the offender had been convicted of the same offense within the previous year.

- 2) Require both thumbprints and fingerprints as part of an individual's application for a personal identification certificate, driver's license, or commercial driver's license or permit. It is assumed any costs associated with implementing the bill could be absorbed within current resources.
- 3) Authorize a court to assess an administrative fee of \$10 if a case involving a failure to carry a license was dismissed.
- 4) Set the fee amount for the issuance or renewal of a commercial learner's permit at \$24 and the fee amount for the administration of a skills test to a person who is not domiciled in this state at \$60.
- 5) Set the fee amount at \$24 for a commercial learner's permit issued to certain sex offenders.
- 6) Repeal a fee for renewing a license with a motorcycle authorization.

### **Methodology**

The bill would create a fee of \$24 for a commercial learner's permit. The Department of Public Safety has estimated that an average of 14,000 original commercial driver licenses are issued each year. Assuming this number of individuals seeking an original commercial driver license each year, an additional \$336,000 in revenue would be generated as a result of the collection of the commercial learner's permit fee from these 14,000 individuals ( $\$24 \times 14,000 = \$336,000$ ).

The bill would also create several penalties. The Comptroller has indicated that the number of violations that would be subject to penalties under the provisions of the bill are unknown. As such, the Comptroller has indicated the fiscal impact of these penalties cannot be determined.

The Office of Court Administration states there may be an increase in administrative fees collected in cases involving a failure to carry a license that are dismissed, but is unable to determine the amount.

### **Local Government Impact**

Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

The Office of Court Administration (OCA) has indicated the bill would result in no significant fiscal impact to local courts. OCA noted there may be an increase in administrative fees collected in cases involving a failure to carry a license that are dismissed, but OCA is unable to determine the amount.

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** UP, AG, AI, JAW, ESi, SD, KVe