

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 25, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3254** by Phillips (Relating to the regulation of a motor carrier and the enforcement of motor carrier regulations; authorizing the imposition of a fee.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 643 of the Transportation Code regarding the circumstances under which the Texas Department of Motor Vehicles (TxDMV) could deny an application for motor carrier registration or a renewal of a registration. The bill would allow a motor carrier whose registration has been revoked to apply to TxDMV for reregistration not later than the 180th day after the date the registration was revoked. There would be a \$10 fee for such applications. The bill would authorize TxDMV to deny the application under certain circumstances.

TxDmv indicates that the implementation of a \$10 fee for an application for reregistration would not result in a significant fiscal impact to the State. Based on LBB's analysis of information provided by TxDMV, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within the agency's existing resources.

The bill would amend the Transportation Code as it relates to the criminal liability for certain motor carrier safety violations. The bill would make knowingly operating, leasing, or assigning a person to drive a commercial motor vehicle with an unsatisfactory rating a state jail felony if the vehicle was involved in an accident that resulted in bodily injury. The bill would make this offense a second degree felony if the accident resulted in death. This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

Local Government Impact

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 608 Department of Motor Vehicles

LBB Staff: UP, AG, EH, TG