

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 19, 2017

TO: Honorable Geanie W. Morrison, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3255** by Phillips (Relating to motor vehicle size and weight limitations, including the enforcement of those limitations; creating a criminal offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Transportation Code §621.503 to establish a violation subject to administrative enforcement for loading a vehicle for operation on a public highway that exceeds the height, width, or length limitations for operation of that vehicle. The bill would amend Chapter 623 of the Transportation Code to authorize the Texas Department of Motor Vehicles (TxDMV) to deny an application for an oversize/overweight permit by an applicant who is subject to an out-of-service order by the Federal Motor Carrier Safety Administration. The bill would add new §623.005 to require ten percent of the fee collected for an oversize/overweight permit authorized by the Legislature on or after September 1, 2017, to be deposited to the TxDMV Fund. This provision would not apply if the authorization for the permit expressly requires a different amount of a fee collected to be deposited to that fund. The bill would authorize TxDMV to investigate and impose an administrative penalty on a shipper who does not provide a shipper's certificate of weight. The changes in the bill would apply only to an offense or violation committed on or after the effective date of the bill. The bill would take effect on September 1, 2017.

TxDmv assumes the provisions of the bill authorizing the agency to deny an application for an oversize/overweight permit for an "out-of-service" motor carrier would not result in a significant impact to permit fee revenue to the state. This analysis does not assume the authorization of any new oversize/overweight permits by the Legislature on or after September 1, 2017, that would be subject to provisions of proposed new §623.005. TxDMV indicates that sufficient information is not available to determine the number of new violations and resulting administrative penalties that could be imposed under the provisions of the bill. It is assumed the expanded administrative enforcement provisions of the bill would result in an indeterminate but insignificant gain to General Revenue from administrative penalties.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601 Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, AG, EH, TG

