

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 12, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **SB1524** by Nichols (Relating to the movement of certain vehicles transporting an intermodal shipping container; authorizing a fee; creating an offense.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1524, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2019.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	\$0
2019	\$0
2020	\$0
2021	\$0
2022	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from <i>State Highway Fund</i> 6	Probable Revenue Gain from <i>Tx Dept of Motor Vehicles Fnd</i> 10	Probable Revenue Gain from <i>Counties</i>	Probable Revenue Gain from <i>Municipalities</i>
2018	\$1,500,000	\$120,000	\$900,000	\$480,000
2019	\$1,515,000	\$121,200	\$909,000	\$484,800
2020	\$1,530,000	\$122,400	\$918,000	\$489,600
2021	\$1,545,000	\$123,600	\$927,000	\$494,400
2022	\$1,560,000	\$124,800	\$936,000	\$499,200

Fiscal Analysis

The bill would amend the Transportation Code, to authorize the Texas Department of Motor

Vehicles (TxDMV) to issue an annual permit authorizing the movement of sealed intermodal shipping containers as defined by the bill. The bill would establish certain restrictions regarding axle weight and configurations and other conditions for vehicles that may operate under this permit. An applicant for a permit would be required to designate each counties and municipality in which the permit would be used. The bill would require an applicant to pay a permit fee of \$6,000, of which 50 percent would be deposited to the State Highway Fund (SHF), 30 percent would be divided equally among and distributed to the counties designated in the permit application, 16 percent would be divided equally among and distributed to the municipalities designated in the permit application; and four percent would be deposited to the credit of the TxDMV Fund. The bill would require the fee for a permit application received on or after January 1, 2028, to be determined by TxDMV after consultation with the University of Texas Center for Transportation Research and the Texas A&M Transportation Institute. The bill would require the Comptroller to send amounts due to the counties at least once each fiscal year for deposit to the credit of the county road and bridge fund. The bill would require the Department of Public Safety (DPS) to adopt rules requiring additional safety and driver training for permits issued under the provisions of the bill. The bill would create a Class C misdemeanor for certain offenses related to the permit. The bill would require the Texas Department of Transportation (TxDOT), in each even-numbered year beginning in 2022, to conduct and publish the results of a study on vehicles operating under a permit issued under the provisions of the bill. The bill would take effect on January 1, 2018.

Methodology

Based on the analysis of TxDMV, it is assumed 500 annual intermodal shipping container permits would be issued in fiscal year 2018 at \$6,000 each, resulting in revenue gains of \$1.5 million to the SHF; \$120,000 to the TxDMV Fund; \$900,000 to the counties; and \$480,000 to the municipalities. This analysis assumes the number of permits issued and the associated fees collected would increase by one percent each fiscal year thereafter.

Based on LBB's analysis of information provided by TxDMV and DPS, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The Texas Department of Transportation (TxDOT) indicates that the department may incur costs to evaluate bridges and install bridge load posting signs. Based on LBB's analysis of the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within the department's current resources.

This legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

Local Government Impact

According to the Department of Motor Vehicles, implementation of the bill would result in revenue gains of \$4,590,000 to the counties and \$2,448,000 to the municipalities over the next five years.

A Class C misdemeanor is punishable by a fine of not more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact. In addition to the fine, punishment can include up to 180 days of deferred disposition.

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, JAW, JGA