

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

February 26, 2019

TO: Honorable Poncho Nevárez, Chair, House Committee on Homeland Security & Public Safety

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB162 by White (Relating to suspending the driver's licenses of certain persons convicted of driving while intoxicated offenses.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB162, As Introduced: an impact of \$0 through the biennium ending August 31, 2021.

However, there would be a significant loss to the Texas Mobility Fund.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2020	\$0
2021	\$0
2022	\$0
2023	\$0
2024	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from Texas Mobility Fund 365
2020	(\$14,254,400)
2021	(\$14,254,400)
2022	(\$14,254,400)
2023	(\$14,254,400)
2024	(\$14,254,400)

Fiscal Analysis

The bill would eliminate the Driving While License Invalid (DWLI) suspensions unless the underlying suspension is for a Driving While Intoxicated (DWI) offense. The bill also modifies the period of suspension for DWLI from the lesser of either the term of the original suspension or

one year to a period of 90 days.

Methodology

According to the Department of Public Safety (DPS) the reinstatement fee for administrative DWLI suspension is \$100, which is dedicated to the Texas Mobility Fund. DPS estimates the average number of DWLIs entered into driver records per fiscal year is 145,756. Taking into account the number of DWLIs entered into driver records with an underlying conviction of DWI (3,212), the number of affected suspensions is 142,544.

Based on the analysis by DPS the estimated annual revenue loss to the Texas Mobility Fund would be \$14,254,400 beginning in fiscal year 2020.

Note: The bill would reduce, rescind, or repeal the dedication of a specific source or portion of revenue dedicated to the Texas Mobility Fund. Article 3, Section 49-k, of the Texas Constitution, specifies that while money in the Texas Mobility Fund is pledged for the payment of any outstanding debt obligations, the Legislature may not reduce, rescind, or repeal the dedication of a specific source or portion of revenue dedicated to the Texas Mobility Fund unless the Legislature by law dedicates a substitute or different source of revenue that is projected by CPA to be of a value equal to or greater than the source or amount being reduced, rescinded, or repealed.

Technology

According to DPS, the Information Technology (IT) Division would need contractors to provide programming support for development, security, networking, and project management. The cost for this support is not expected to be significant.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: WP, LBO, AI, SMi, SD