

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 29, 2019

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

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

IN RE: HB799 by Landgraf (Relating to liability for certain damage caused by vehicles exceeding maximum height limitations; creating a criminal offense.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Transportation Code to establish an offense, punishable by a fine, for operating or attempting to operate a vehicle on a bridge or under an underpass or similar structure unless the height of the vehicle and vehicle load is less than the vertical clearance of the structure. If a trial of an offense shows that the person was not in compliance with all applicable license and permit requirements for operation of the vehicle, the offense would be punishable by a fine, 30 days maximum confinement in county jail, or both the fine and confinement.

This analysis assumes the provisions of the bill addressing sanctions for criminal offenses would not result in a significant fiscal impact to the state and state correctional agencies.

Local Government Impact

According to the provisions of the bill, the penalties provided can result in a Class C or B misdemeanor. A Class C misdemeanor is punishable by a fine of not more than \$500. In addition to the fine, punishment can include up to 180 days of deferred disposition. A Class B misdemeanor is punishable by a fine of not more than \$500, confinement in jail for a term not to exceed 30 days, 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:

LBB Staff: WP, JGAn, TG, AF, DGi