LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 2, 2019

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

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

IN RE: **HB2386** by Kacal (Relating to the exclusion of the operation of certain vehicles from commercial driver's license requirements.), **As Engrossed**

> **The fiscal implications of the bill cannot be determined at this time due to lack of data regarding the number of certain commercial driver license applicants.**

The bill would amend statute governing commercial driver licenses to exempt a vehicle that is operated intrastate and driven by an individual not for compensation or in the furtherance of a commercial enterprise or a covered farm vehicle as defined by 49 C.F.R. Section 390.5.

While loss to the Texas Mobility Fund (TMF) is probable, the agency cannot estimate revenue loss due to lack of data regarding the reason or justification for an application for a Commercial Driver License. The Department of Public Safety, however, does not expect this number to be significant.

Pursuant to Texas Constitution, Article III, Section 49-k(f), while money in the TMF is pledged to the payment of any outstanding obligations, the dedication of a specific source or portion of revenue, taxes, or other money may not be reduced, rescinded, or repealed unless: (i) the Legislature by law dedicates a substitute or different source that is projected by the Comptroller to be of a value equal to or greater than the source or amount being reduced, rescinded, or repealed or (ii) if not already in place, the Texas Transportation Commission implements a pledge of the State's full faith and credit to the payment of the TMF obligations.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 601 Department of Transportation
LBB Staff: WP, LBO, AI, SMi, SD, JGAn