

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 15, 2019

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

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

IN RE: HB2620 by Martinez (Relating to the movement of oversize or overweight vehicles, including the enforcement of motor vehicle size and weight 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 certain provisions in the Transportation Code requiring compliance with lawful orders and directions of escort flaggers for oversize and overweight vehicles. The bill would establish a Class C misdemeanor offense if a person operates a vehicle under a oversize/overweight vehicle permit and the person operating the vehicle is not the person named on the permit or an employee of that person. The bill would authorize the Department of Motor Vehicles (DMV) to deny an oversize/overweight permit to a motor carrier that has been placed out of service by the Federal Motor Carrier Safety Administration or that the Department of Public Safety has determined has an unsatisfactory safety rating or multiple violations of commercial motor vehicle safety standards. The bill would require 10 percent of a permit fee collected for any oversize/overweight permit authorized by the Legislature on or after September 1, 2019, to be deposited to the Texas Department of Motor Vehicles Fund unless another provision expressly requires a different amount of a fee collected to be deposited to that fund. The bill would amend Chapter 622 of the Transportation Code, relating to special provisions and exceptions for oversize or overweight vehicles, to establish single axle and tandem axle weight exceptions for the operation of an over-the-road bus on a public highway. The bill would take effect on September 1, 2019.

Based on LBB's analysis of the information DMV and the Texas Department of Transportation, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within the agency's existing resources. Based on the analysis of the Office of Court administration, no significant impact to the state court system is anticipated.

Local Government Impact

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. 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.

Source Agencies: 601 Department of Transportation, 608 Department of Motor Vehicles, 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 405 Department of Public Safety, 407 Commission on Law Enforcement

LBB Staff: WP, JGAn, TG, AF