

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 26, 2019**

**TO:** Honorable Terry Canales, Chair, House Committee on Transportation

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

**IN RE:** **HB3469** by Wilson (relating to a study by the Texas Department of Transportation on the feasibility of charging a pavement consumption fee for the operation of certain motor vehicles on public highways.), **Committee Report 1st House, Substituted**

**Because the specific information technology requirements that would be necessary to implement the bill are unknown, the potential cost to the State cannot be determined at this time.**

The bill would require the Texas Department of Transportation (TxDOT), in consultation with the University of Texas Center for Transportation Research (CTR) and the Texas A&M Transportation Institute (TTI) to conduct a study regarding the imposition of a pavement consumption fee. The bill would stipulate what must be included in the study, and require the findings of the study to be submitted to the Governor, Lieutenant Governor, and Legislature not later than November 1, 2020. In conducting the study, the bill would require TxDOT to develop a system to establish rates for the pavement consumption fee that reflect the cost per mile to repair damage to the pavement of each section of highway caused by a commercial motor vehicle subject to the fee and calculate the total amount of the fee due from the operator of a commercial motor vehicle subject to the fee. The bill would require TxDOT to develop a prototype of any software required for the system. The bill would take effect on September 1, 2019, and expire on May 1, 2020.

Based on the information and analysis provided by TxDOT, CTR, and TTI, this analysis assumes any costs associated with conducting the study could be accommodated within the agencies' existing resources and through the execution of interagency contracts for consultation and support provided to TxDOT by CTR and TTI.

TxDOT anticipates that implementation of the bill would require the development of a sophisticated pavement consumption library and complex systems and software to calculate pavement consumption fees for specific roadways, both on and off the state highway system, and to manage the administration, collection, and distribution of fees. Because TxDOT has not determined the potential information technology programming and hardware requirements for the development of such systems and software, the costs for system and software development cannot be determined at this time. Based on information provided by TxDOT, it is assumed development of the systems and software required by the bill would result in an indeterminate significant one-time information technology cost to the agency.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 601 Department of Transportation,  
720 The University of Texas System Administration, 727 Texas A&M  
Transportation Institute

**LBB Staff:** WP, JGAn, SGr, TG