

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 13, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2048 by Krause (Relating to the criminal offense of passing certain vehicles on a highway.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Section 545.157 of the Transportation Code, regarding passing certain vehicles, to apply to passing a vehicle operated by or pursuant to a contract with a toll project entity that is using certain lighting standards adopted by the Texas Department of Transportation (TxDOT) for highway maintenance or construction vehicles and service vehicles.

A violation under Section 545.157 is a class B misdemeanor if the violation resulted in bodily injury, a misdemeanor offense punishable by a fine of \$500 if the violation results in property damage, or an offense punishable by not less than \$1 and not more than \$200. It is assumed implementation of the provisions of the bill would not result in a significant fiscal impact to the State.

Local Government Impact

The offense expanded by this bill would be a class B misdemeanor if the violation resulted in bodily injury, a misdemeanor offense punishable by a fine of \$500 if the violation results in property damage, or an offense punishable by not less than \$1 and not more than \$200.

A Class B misdemeanor is punishable by a fine of not more than \$2,000, confinement in jail for a term not to exceed 180 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: 405 Department of Public Safety, 601 Department of Transportation

LBB Staff: JMc, AAL, TG, MB, AF