

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 14, 2009

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB537 by Berman (Relating to the transportation of children in motor vehicles; creating an offense.), **As Engrossed**

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| <p>No significant fiscal implication to the State is anticipated.</p> |
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The bill would create as an offense allowing a child younger than 17 years of age to ride in a passenger van designed to transport 15 or fewer passengers, including the driver, without securing the child individually by a safety belt if the child is occupying a seat that is equipped with a safety belt. The provisions of the bill would apply to a third-party transport service providers when transporting clients pursuant to a contract to provide nonemergency Medicaid transportation; previously, these providers were exempt from the specific safety belt requirements.

The bill would amend the Transportation Code to prohibit a person from carrying another person on a motorcycle unless the passenger is at least five years of age. An exception would be made for passengers younger than five years of age riding in a sidecar attached to the motorcycle. A violation would be a misdemeanor punishable by a fine of not less than \$100 nor more than \$200.

Enforcement and fines collected from enforcement are not anticipated to have a significant fiscal impact to the state or units of local government.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, KJG, DB