

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 11, 2007

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

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

IN RE: HB2093 by Hill (Relating to the enforcement of motor carrier registration and overweight and oversize permits.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to provide that the Texas Department of Transportation (TxDOT) may investigate and impose administrative penalties and revocations for oversize/overweight permit violations of statute, rule, order, or for providing false information on required forms. The bill would provide that administrative penalties may be imposed under the process currently in effect in the Transportation Code. The bill would authorize TxDOT to deny, revoke, or suspend motor carrier registration for violations and for failure to pay administrative penalties. The bill would provide for injunctive relief by the Office of the Attorney General (OAG) at the request of TxDOT, and would authorize OAG and TxDOT to recover reasonable expenses incurred in obtaining injunctive relief as specified by the bill. The bill would establish the procedures to be followed for an administrative hearing at the State Office of Administrative Hearings (SOAH) and would specify that a contested hearing will be held only when the alleged violator requests a hearing.

This analysis does not estimate the fiscal impact to the State Highway Fund resulting from administrative penalties assessed and collected by TxDOT. Based on the analysis of TxDOT, OAG, and SOAH, it is assumed any costs or duties associated with the implementation of the bill could be absorbed within the agencies' existing resources.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2007.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation, 302 Office of the Attorney General, 360 State Office of Administrative Hearings

LBB Staff: JOB, KJG, TG