

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB 4100
Version:	Committee Substitute
Request Number:	10796
Author:	Rep. Frix
Date:	3/18/2022
Impact:	Potential revenue decrease

Research Analysis

HB 4100 the committee substitute, creates the Operation Work Zone Awareness program. The Operation Work Zone Awareness program is designed to educate the motoring public on the dangers of committing moving violations when traveling in a highway construction work zone. To better educate the public, the Department of Public Safety (DPS) is authorized to develop an online work zone awareness presentation and publish it on their website. The presentation is to also include a question and answer section to ensure participants understand and retain the information. The measure also provides that any motorist that has received a moving violation citation who completes the program and provides the certificate of competition in court is entitled to a dismissal of the charge.

The measure establishes certain guidelines such as:

- Establishing that participation in the Operation Work Zone Awareness program is voluntary and allows offenders to participate in the program only once;
- Prohibiting holders of commercial driver licenses cited while driving a commercial vehicle from participating in the program;
- Prohibiting motorists who commit impaired driving offenses from participating in the program;
- Allowing for the dismissal of charges without payment of court fees if the offender produces a certificate of program competition no later than 1 business day before the first court appearance date;
- Establishing a fee of \$40 to be paid by the motorist for participating in the program; and
- Establishing that 50 percent of the fees collected be deposited into the Department of Public Safety Patrol Vehicle Revolving Fund and the other 50 percent distributed to the vendor used by DPS to develop the webpage in which the presentation is published. It further establishes that once the vendor is paid in full, 100 percent of the fees collected be deposited into the Department of Public Safety Revolving Fund.

Prepared By: Keana Swadley

Fiscal Analysis

The committee substitute would authorize the Department of Public Safety to establish Operation Work Zone Awareness. The program would allow individuals receiving citations for moving violations in a work zone to complete an online education program. A certificate of completion received by an individual and presented to a court shall entitle the individual to dismissal of the charges. If this dismissal occurs before the first scheduled court appearance, then the dismissal shall be without payment of court costs.

Upon review, passage of the measure may have a fiscal impact to the state. The measure would allow the Department to collect a program fee of \$40.00 from participating individuals to defray the costs of establishing the program. The measure does not mandate that the Department create such a program. The potential for fiscal impact is in requiring the dismissal of court costs for moving violations. The measure may decrease revenue received by district courts.

Prepared By: Clayton Mayfield

Other Considerations

None.