

BILL ANALYSIS

C.S.S.B. 2227
By: Hinojosa
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the cap on the fee for a permit issued for the movement of an oversize or overweight vehicle carrying cargo in Hidalgo County is too low considering the effort required by the regional mobility authority to issue those permits and maintain the permit registration system. C.S.S.B. 2227 seeks to raise that cap.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 2227 amends the Transportation Code to raise the cap on the fee for a permit issued by a regional mobility authority for the movement of oversize or overweight vehicles carrying cargo in Hidalgo County from \$80 to \$200. The bill requires an amount not to exceed five percent of the fees collected from the issuance of permits authorizing the movement of oversize or overweight vehicles on certain roads in Hidalgo County as specified by the bill to be used to leverage funding from other sources to construct a bridge on Farm-to-Market Road 1015 in Hidalgo County between Military Highway and Mile 5 Road North, to improve certain roads that are in Weslaco or Progreso, to improve Mile 5 Road North in Hidalgo County, and to support the construction of roads proposed by the City of Donna connecting a proposed commercial import lot near the Donna-Rio Bravo International Bridge to Farm-to-Market Road 493 and Military Highway. The bill changes the cap on the amount of the fees collected for permits issued for the movement of oversize or overweight vehicles carrying cargo in Hidalgo County that may be used for the applicable regional mobility authority's administrative costs to reflect the new fee use added by the bill.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 2227 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Section 623.364(a), Transportation Code, is amended to read as follows:

(a) The authority may collect a fee for permits issued under this subchapter. Beginning September 1, 2017 [~~2013~~], the maximum amount of the fee may not exceed \$200 [~~\$80~~] per trip. On September 1 of each subsequent year, the authority may adjust the maximum fee amount as necessary to reflect the percentage change during the preceding year in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, published monthly by the United States Bureau of Labor Statistics or its successor in function.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 623.364, Transportation Code, is amended to read as follows:

Sec. 623.364. PERMIT FEES. (a) The authority may collect a fee for permits issued under this subchapter. Beginning September 1, 2017 [~~2013~~], the maximum amount of the fee may not exceed \$200 [~~\$80~~] per trip. On September 1 of each subsequent year, the authority may adjust the maximum fee amount as necessary to reflect the percentage change during the preceding year in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, published monthly by the United States Bureau of Labor Statistics or its successor in function.

(b) Except as provided by Subsection (d), fees [~~Fees~~] collected under Subsection (a) shall be used only for the construction and maintenance of the roads described by or designated under Section 623.363 and for the authority's administrative costs, which may not exceed:

(1) 15 percent of the fees collected from the issuance of permits authorizing the movement of oversize or overweight vehicles on a road not listed in Section 623.363(a)(1)(J), (K), (L), or (M); or

(2) 15 percent of the fees collected from the issuance of permits authorizing the movement of oversize or overweight vehicles on a road listed in Section 623.363(a)(1)(J), (K), (L), or (M) minus the amount of fees used under Subsection (d).

(c) The authority shall make payments to the Texas Department of Transportation to provide funds for the maintenance of roads and highways subject to this subchapter.

(d) Fees collected under Subsection (a) from the issuance of permits authorizing the movement of oversize or overweight vehicles on a road listed in Section 623.363(a)(1)(J), (K), (L), or (M) must be used in an amount not to exceed five percent of those fees to leverage funding from other sources to:

(1) construct a bridge on Farm-to-Market Road 1015 in Hidalgo County between Military Highway and Mile 5 Road North;

(2) improve the roads described by Section 623.363 that are in Weslaco or Progreso;

(3) improve Mile 5 Road North in Hidalgo

County; and

(4) support the construction of roads proposed by the City of Donna connecting a proposed commercial import lot near the Donna-Rio Bravo International Bridge to Farm-to-Market Road 493 and Military Highway.

SECTION 2. This Act takes effect September 1, 2017.

SECTION 2. Same as engrossed version.