

## **BILL ANALYSIS**

C.S.H.B. 4201  
By: Martinez  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The trucking industry, which includes importers, exporters, and other stakeholders involved in international trade, have raised concerns about the efficiency of the inspection process for commercial vehicles at the United States–Mexico border. There have been calls to conduct a feasibility study on the colocation of federal and state motor vehicle inspection facilities at ports of entry in Texas. C.S.H.B. 4201 seeks to address the issue by requiring the Texas A&M Transportation Institute, in consultation with the Texas Department of Transportation and the Department of Public Safety, to conduct a feasibility study on the advantages and disadvantages of colocated federal and state inspection facilities at ports of entry.

### **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.H.B. 4201 requires the Texas A&M Transportation Institute, in consultation with the Texas Department of Transportation (TxDOT) and the Department of Public Safety (DPS), to conduct a feasibility study on erecting and maintaining a colocated federal and state inspection facility at each port of entry in Texas for the inspection of motor vehicles for compliance with federal and state commercial motor vehicle regulations. The bill requires the study to include:

- a summary of:
  - past efforts by DPS and the Federal Motor Carrier Safety Administration to maintain colocated federal and state inspection facilities at each port of entry;
  - any current efforts to colocate or separate federal and state inspection facilities at ports of entry in other states;
  - current wait times at inspection facilities at each port of entry;
  - current priorities and expectations of TxDOT and DPS regarding motor vehicle inspections at ports of entry;
  - the perspectives of TxDOT and DPS on the advantages and disadvantages of colocated federal and state inspection facilities; and
  - the Federal Motor Carrier Safety Administration's perspective on the advantages and disadvantages of colocated federal and state inspection facilities, as solicited by the Texas A&M Transportation Institute;
- potential scenarios for the colocation of federal and state inspection facilities at each port of entry in Texas and an analysis of each scenario's advantages and disadvantages;

- an analysis of potential economic benefits of collocating federal and state inspection facilities at each port of entry; and
- an analysis of the potential effects of collocating federal and state inspection facilities at each point of entry on wait times at inspection facilities.

The bill requires the Texas A&M Transportation Institute, in conducting the study, to solicit the Federal Motor Carrier Safety Administration's perspective on the advantages and disadvantages of colocated federal and state inspection facilities.

C.S.H.B. 4201 requires the Texas A&M Transportation Institute, not later than December 1, 2022, to submit to the members of the legislature a report on the results of the study and any recommendations for legislative or other action. Before the study is completed, the Texas A&M Transportation Institute must contact the Federal Motor Carrier Safety Administration to arrange receipt of the report. The bill requires the Texas A&M Transportation Institute, not later than December 1, 2022, to report the results of the study and any recommendations to the Federal Motor Carrier Safety Administration in the manner and format requested by the Federal Motor Carrier Safety Administration.

C.S.H.B. 4201's provisions expire January 1, 2023. Implementation of a provision of this bill by the Texas A&M Transportation Institute is mandatory only if a specific appropriation is made for that purpose.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 4201 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original set out required elements of the study. The substitute includes the following among those elements which were not included in the original:

- a summary of current wait times at inspection facilities at each port of entry;
- an analysis of potential economic benefits of collocating federal and state inspection facilities at each port of entry; and
- an analysis of the potential effects of collocating federal and state inspection facilities at each point of entry on wait times at inspection facilities.

The substitute includes a requirement absent from the original for the institute to submit to the members of the legislature not later than December 1, 2022, a report on the results of the study and any recommendations for legislative or other action.

The substitute includes a procedural provision absent from the original establishing that implementation of a provision of the bill by the institute is mandatory only if a specific appropriation is made for that purpose.