

- SUBJECT:** Regulating foreign motor vehicle carriers in Texas border zones
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 5 ayes — Alexander, Siebert, Finnell, Hawley, Pickett
0 nays
4 absent — Edwards, Hartnett, Hill, Uher
- SENATE VOTE:** On final passage, April 30 — 31-0
- WITNESSES:** No public hearing.
- DIGEST:** SB 1351 would provide that any state or local law or agreement regulating the transportation of cargo by foreign motor carriers across or within any area adjacent to the border would have no legal effect unless it were applied uniformly to and only within a border commercial zone. The bill would specify that this provision would supersede any other agreement and that the boundaries of a border commercial zone, as defined by 49 CFR Part 372, could be modified or established only as provided by federal law.
- SB 1351 would exempt a foreign commercial motor vehicle from any state law otherwise requiring registration, including a temporary registration permit, provided that the vehicle:
- was solely engaged in crossborder cargo transport into or from a border commercial zone;
 - remained in the state no more than 24 hours for each load of cargo transported or for no longer than 48 hours due to circumstances beyond the control of the motor carrier and all relevant financial responsibility requirements were satisfied; and
 - was properly registered and licensed under the law of another state or country and bore reliable evidence of that status by displaying a valid license plate attached to the vehicle's exterior.

In addition, the country where the vehicle was domiciled or where the owner had citizenship would have to provide a reciprocal exemption for commercial motor vehicles owned or controlled by Texas residents.

The vehicle would be considered unregistered if operated outside of the border zone or in violation of U.S. law.

The Texas Department of Transportation (TxDOT) would adopt rules conforming with federal regulations requiring all carriers operating foreign commercial vehicles in Texas to maintain adequate financial responsibility. The bill would specify that this mandate would take precedence over any other state law concerning financial responsibility for operating such vehicles in Texas. Foreign motor carriers could not transport persons or cargo in intrastate commerce in Texas unless authorized under federal law or international agreement to conduct operations in interstate and foreign commerce domestically between points in the U.S.

TxDOT, the Department of Public Safety and the Department of Insurance could to adopt other rules to carry out these provisions.

SB 1351 would take effect September 1, 1997.