

SUBJECT: Allowing military vehicles to use toll roads at no charge

COMMITTEE: Transportation — committee substitute recommended

VOTE: 8 ayes — Krusee, Phillips, Edwards, Garza, Harper-Brown, Hill, Laney, Mercer
0 nays
1 absent — Hamric

WITNESSES: For — Dave Bohlmann, Harris County Toll Road Authority
Against — None

BACKGROUND: Government Code, sec. 431.087 allows a member of the state military forces to travel free on toll projects to and from a parade, encampment, drill, or other meeting that he or she is required to attend if the member is in uniform and presents an order for duty. A member of the military who claims this privilege but is not entitled to it commits a misdemeanor punishable by a fine of \$50 to \$200. Transportation Code, ch. 362 governs turnpikes and toll projects.

DIGEST: CSHB 1732 would require the Texas Transportation Commission and the governing boards of local public and private toll entities to adopt rules allowing military vehicles to use toll projects without charge. The rules would have to apply to convoys of military vehicles of any state or of the United States and would apply to individual military vehicles, to the greatest extent practicable, considering the technological and personnel limitations of operating the toll project.

A person who claimed a privilege under this provision but was not entitled to it would commit a Class C misdemeanor, punishable by maximum fine of \$500. The bill would repeal Government Code, sec. 431.087.

The bill would take effect September 1, 2003.

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**SUPPORTERS
SAY:**

CSHB 1732 would make a needed extension of the existing toll-payment exemption for state military personnel. Current law permits members of the state military to travel free of charge on toll roads and bridges for required, official business. This bill would extend that benefit to other states' military forces and the U.S. armed forces and would transfer the benefit from the service person to the military vehicle. The current system often is difficult to administer because of incongruities between procedures in various branches of the state military and the prevalence of automated toll booths in which no employee is present to grant the exception. The bill would treat military convoys differently than individual military vehicles because it is logistically easier to allow a convoy to pass through the tollway than to recognize and verify individual military vehicles. The bill is anticipated to have no significant fiscal impact.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

The committee substitute would allow individual military vehicles, but not military personnel, to use toll projects without paying a toll.

The companion bill, SB 903 by Lindsay, passed the Senate by voice vote on April 14. The House Transportation Committee reported SB 903 favorably, without amendment, on May 6 and sent it to the Local and Consent Calendars Committee, making it eligible to be considered in lieu of HB 1732.