

BILL ANALYSIS

Senate Research Center

H.B. 3594
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Department of Transportation is currently in the process of building eight inspection stations and may choose a site for a border inspection station without consultation or approval from the affected municipality. Cities with large commercial border crossing traffic are concerned that if the inspection station location is not carefully chosen to minimize traffic delay and congestion, unsafe traffic patterns and increased pollution will result.

H.B. 3594 clarifies that if a facility that serves a bridge that had more than 900,000 commercial border crossings during the state fiscal year ending August 31, 2002, is to be located in a municipality or a municipality's extraterritorial jurisdiction, the municipality may choose the location of the facility within the municipality or the municipality's extraterritorial jurisdiction. H.B. 3594 also sets forth specific guidelines regarding the selection and construction of these locations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BYSECTION ANALYSIS

SECTION 1. Amends Section 201.613, Transportation Code, as follows:

Sec. 201.613. New heading: ONE-STOP BORDER INSPECTION FACILITIES. (a) Requires the Texas Department of Transportation (TxDOT) to erect and maintain border inspection facilities, rather than choose a location for an inspection station, along a major highway at or near a border crossing from Mexico in the Pharr, Laredo, and El Paso districts for the inspection of motor vehicles for compliance with federal and state commercial motor vehicle regulations. Deletes existing text specifying that TxDOT is required to choose a location for an inspection station along a major highway at or near a border crossing from Mexico in Brownsville so that all federal, state, and municipal agencies that regulate the passage of persons or vehicles across the border at that border crossing may be located in one place.

(b) Authorizes a municipality or a municipality's extraterritorial jurisdiction in which a facility that serves a bridge that had more than 900,000 commercial border crossings during the state fiscal year ending August 31, 2002, is to be located to choose the location of the facility within the municipality or the municipality's extraterritorial jurisdiction. Requires the municipality to choose a location before the later of the 180th day after the date TxDOT requests a location or the effective date of the Act enacting this provision.

(c) Requires that only one inspection facility be constructed in a municipality described by this subsection.

(d) Requires the municipality to obtain and pay for an independent study completed by a certain entity and choose a location that does not impair the receipt of federal or state funds for implementation of this section in determining the location for a border inspection facility under Subsection (b).

(e) Requires TxDOT to provide for implementation by the appropriate agencies of the use of Intelligent Transportation Systems for Commercial Vehicle Operations (ITS/CVO) in any new commercial vehicle inspection facility constructed and any existing facility to which this section applies to the extent TxDOT considers appropriate.

(f) Requires implementation of the systems under Subsection (e) to be based on the Texas ITS/CVO business plan prepared by TxDOT, the Department of Public Safety, and the comptroller of public accounts. Requires TxDOT to coordinate with other state and federal transportation officials to develop interoperability standards for the systems.

(g) Sets forth requirements surrounding measures to enhance efficiency and reduce complexity for motor carriers, prevention of duplication of certain state and federal procedures and locations, the linking of information systems of certain entities, and certain other necessary actions that TxDOT should meet, to the greatest extent possible in implementing systems under Subsection (e) in the construction of a facility. Deletes existing text requiring TxDOT to establish and maintain an inspection station at the locations chosen in Subsection (a) only if the federal agencies involved in the regulation of the passage of persons or vehicles at that border crossing agree to the design of and to use the facility at each location if built. Deletes existing text authorizing TxDOT to enter into agreements with federal, state, and municipal agencies to accomplish the purpose of this section and authorizing an agreement to involve the lease of office space at the inspection station by TxDOT to the agency.

SECTION 2. Requires TxDOT to spend the money appropriated during the 76th Legislature for Section 201.613 (One-Stop Border Inspection Stations), Transportation Code, as added by Chapter 1527, Acts of the 76th Legislature, Regular Session, 1999, or money received from the federal government to establish the border inspection facilities under Section 201.613 (One-Stop Border Inspection Stations), Transportation Code, as amended by this Act.

SECTION 3. Effective date: upon passage or September 1, 2007.