

## **BILL ANALYSIS**

Senate Research Center  
81R3400 JD-F

S.B. 334  
By: Carona  
Transportation & Homeland Security  
2/23/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Article 46c-6 of Vernon's Texas Civil Statutes provides the Texas Department of Transportation (TxDOT) with the power to regulate air carriers and requires TxDOT to adopt rules providing for the safety of air carriers. Under that article, an air carrier may not operate in the state unless the carrier has obtained a certificate of public convenience and necessity or a certificate of operating authority from TxDOT.

Federal law preempts a state's economic regulation of air carriers.

As proposed, S.B. 334 repeals the statute that grants authority to TxDOT to regulate air carriers.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Repealer: Section 6 (General Powers and Duties of Commission), Chapter 344, Acts of the 49th Legislature, Regular Session, 1945 (Article 46c-6, V.T.C.S.).

SECTION 2. Effective date: upon passage or September 1, 2009.