

BILL ANALYSIS

C.S.H.B. 1732
By: Hamric
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, specifically Section 431.087, Government Code, only state military vehicles are exempt from tolls or fares on toll projects. Exempt passage for federal military vehicles is prohibited. In addition, toll authorities are struggling to define how military personnel should be identified by unmanned toll collection facilities. Moreover, individual factors such as the identification style of a particular branch of the military pose further complications. Allowing exempt passage for military convoys is a relatively simple endeavor; however, allowing exempt passage for individual military vehicles and military individuals is more problematic.

Committee Substitute to House Bill 1732 requires the governing body of a toll project to adopt rules exempting military vehicles from paying tolls or fares.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to an operator of a toll project in SECTION 1 (Chapter 362, Subchapter Z, Section 362.901, Transportation Code) of this bill.

ANALYSIS

Section 1. Amends Chapter 362, Transportation Code, by adding Subchapter Z as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 362.901. FREE USE OF TOLL PROJECT BY MILITARY VEHICLES

Section 362.901(a): requires the operator of a toll project to adopt rules exempting military vehicles from paying tolls or fares.

Section 362.901(b): requires a rule adopted under Subsection 362.901(a) to include:

- (1) allowance of a convoy of military vehicles of this state, another state, or the federal government to use a toll project without paying tolls or fares; and
- (2) allowance of individual military vehicles to use a toll project without paying tolls or fares.

Section 362.901(c): creates a Class C misdemeanor where a person claims a privilege under a rule adopted under Subsection 362.901(a) and the person is not so entitled.

Section 362.901(d): defines "toll project"

Section 2. Repeals Section 431.087, Government Code.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 1732 strikes the words "and personnel" on page 1, line 17, in HB 1731, as introduced, and thus,

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