

BILL ANALYSIS

C.S.H.B. 3412
By: Krusee
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The purpose of CSHB 3412 is to require that certain fees collected by the Department of Public Safety (DPS) be credited to the Texas mobility fund. These fees are associated with the application, re-issuance or re-instatement of driver's licenses or commercial driver's licenses, vehicle inspections and vehicle inspector certificates, the distribution of driver's license and accident report information, and administrative penalties associated with commercial motor vehicle safety proceedings.

Fees collected by DPS for certain highway-related activities are presently deposited in the general revenue fund.

DPS is authorized to charge specific fees for various highway-related activities, including driver's license applications and renewals, release of accident reports, and vehicle inspection activities. DPS is appropriated monies for its highway-related activities from the state highway fund although the fees DPS collects for these activities are placed in the general revenue fund. To some extent, the collection of these fees allows the state to recoup its highway and transportation related operating expenses from those persons who use these specific services, and should therefore be used for highway and transportation purposes.

The state highway fund and the Texas mobility fund are sources of payment for state administration of various transportation-related programs. However, the revenue generated for the state by fees assessed under DPS highway related programs that are paid for out of the state highway fund is deposited into the state's general revenue fund. As a result, the state transportation funds do not receive any revenue from activities associated with administering those transportation-related programs, even though one of those funds pays for the related expenses. The state greatly needs to increase its transportation expenditures to meet rising highway demand and maintenance needs. This legislation seeks to increase funds available for transportation expenditures without raising taxes or fees.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Deletes Section 521.055(d), Transportation Code. Section 521.055 provides for an interactive computer system that allows access to certain driver's license records, and establishes fees for use of the system. Subsection (d) provides that fifty cents of each fee shall be appropriated to DPS for the administration of Chapter 521.

SECTION 2. Adds Section 521.058, Transportation Code, to require fees collected under Subchapter D, including those associated with the collection or disclosure of department driver's license records, be deposited to the credit of the mobility fund.

SECTION 3. Amends Section 521.313, Transportation Code, by adding Subsection (c) to require

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SECTION 3. Amends Section 521.313, Transportation Code, by adding Subsection (c) to require

that fees collected for the reinstatement or re-issuance of a driver's license suspended or revoked under that subchapter be deposited to the credit of the mobility fund.

SECTION 4. Amends Section 521.3466, Transportation Code, by adding Subsection (e) to require that fees collected for re-issuing a driver's license following an automatic revocation under that section be deposited to the credit of the mobility fund.

SECTION 5. Adds Section 521.427, Transportation Code, to require that fees collected under Subchapter R, including fees for driver's license examinations, Personal Identification Certificates, and Disability Certificates, be deposited to the credit of the mobility fund. Excepted from this section are certain fees allocated to the Blindness Education, Screening, and Treatment Program, the Anatomical Gift Educational Program, and the motorcycle education fund account.

SECTION 6. Amends Section 522.029, Transportation Code, to require that fees collected under Section 522.029 for commercial driver licenses and commercial driver license learner permits be deposited to the credit of the mobility fund. Excepted from this requirement are fees deposited in the motorcycle education fund account.

SECTION 7. Amends Section 524.051, Transportation Code, by adding Subsection (c) to require that fees collected for reinstating a driver's license suspended due to an administrative license revocation be deposited in the mobility fund.

SECTION 8. Adds Section 548.508, Transportation Code, to require that fees collected under Subchapter H for motor vehicle safety and emissions inspections and inspector certifications be deposited to the credit of the mobility fund. The section excepts from this allocation certain funds allocated by the Health and Safety Code to the clean air account, and certain funds allocated to the motorcycle education fund account.

SECTION 9. Amends Section 644.153, Transportation Code, by adding Subsection (i) to require that commercial motor vehicle administrative penalties collected under that section be deposited to the credit of the mobility fund.

SECTION 10. Amends Section 724.046, Transportation Code, by adding Subsection (c) to require fees collected under that section for reinstating a suspended driver's license be deposited to the credit of the mobility fund.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original in that the substitute is a Legislative Council draft.

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