

AN ACT

relating to motor vehicle inspection facilities near the border of this state and Mexico.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 201.613, Transportation Code, is amended to read as follows:

Sec. 201.613. ONE-STOP BORDER INSPECTION FACILITIES ~~[STATIONS]~~. (a) The department shall erect and maintain border ~~[choose a location for an]~~ inspection facilities ~~[station]~~ along a major highway at or near a border crossing from Mexico in the Pharr ~~[Brownsville]~~, ~~[in]~~ Laredo, and ~~[in]~~ El Paso districts for the inspection of motor vehicles for compliance with federal and state commercial motor vehicle regulations ~~[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) 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. The municipality shall choose a location not later than the 180th day after the date the department makes a request for a location.

1 (1) Only one inspection facility shall be constructed
2 in the municipality referred to in this subsection.

3 (2) In determining the location for the border
4 inspection facility, the municipality shall obtain and pay for an
5 independent study completed by a university that conducts
6 transportation studies or any other entity that conducts
7 transportation studies to identify commercial truck traffic
8 patterns for the location at which the facility is to be located and
9 ensure that the location shall have adequate capacity to conduct a
10 sufficient number of meaningful vehicle safety inspections as
11 required by Safety of Cross-Border Trucking Between United States
12 and Mexico (Pub. L. No. 107-87, Section 350(9)) (49 U.S.C. Section
13 13902).

14 (c) To the extent the department considers appropriate to
15 expedite commerce, the department shall provide for implementation
16 by the appropriate agencies of the use of Intelligent
17 Transportation Systems for Commercial Vehicle Operations (ITS/CVO)
18 in:

19 (1) any new commercial motor vehicle inspection
20 facility constructed; and

21 (2) any existing facility to which this section
22 applies.

23 (d) Implementation of systems under Subsection (c) must be
24 based on the Texas ITS/CVO business plan prepared by the
25 department, the Department of Public Safety, and the comptroller.
26 The department shall coordinate with other state and federal
27 transportation officials to develop interoperability standards for

1 the systems.

2 (e) In implementing systems under Subsection (c) in the
3 construction of a facility, the department to the greatest extent
4 possible shall:

5 (1) enhance efficiency and reduce complexity for motor
6 carriers by providing:

7 (A) a single point of contact between carriers
8 and state and federal officials regulating the carriers; and

9 (B) a single point of information, available to
10 wireless access, about federal and state regulatory and enforcement
11 requirements;

12 (2) prevent duplication of state and federal
13 procedures and locations for regulatory and enforcement
14 activities, including consolidation of collection of applicable
15 fees;

16 (3) link information systems of the department, the
17 Department of Public Safety, the comptroller, and, to the extent
18 possible, the United States Department of Transportation and other
19 appropriate regulatory and enforcement entities; and

20 (4) take other necessary action to:

21 (A) facilitate the flow of commerce;

22 (B) assist federal interdiction efforts;

23 (C) protect the environment by reducing idling
24 time of commercial motor vehicles at the facilities;

25 (D) prevent highway damage caused by overweight
26 commercial motor vehicles; and

27 (E) seek federal funds to assist in the

1 implementation of this section. [~~The department shall establish~~
2 ~~and maintain an inspection station at the locations chosen in~~
3 ~~Subsection (a) only if the federal agencies involved in the~~
4 ~~regulation of the passage of persons or vehicles at that border~~
5 ~~crossing agree to the design of the facility at each location and~~
6 ~~agree to use the facility at each location if built.~~

7 [~~(c) The department may enter into agreements with federal,~~
8 ~~state, and municipal agencies to accomplish the purpose of this~~
9 ~~section. An agreement may involve the lease of office space at the~~
10 ~~inspection station by the department to the agency.]~~

11 SECTION 2. The Texas Department of Transportation shall
12 spend the money appropriated during the 76th Legislature for
13 Section 201.613, Transportation Code, as added by Chapter 1527,
14 Acts of the 76th Legislature, Regular Session, 1999, or money
15 received from the federal government to establish the border
16 inspection facilities under Section 201.613, Transportation Code,
17 as amended by this Act.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I certify that H.B. No. 3554 was passed by the House on May 8, 2003, by the following vote: Yeas 130, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3554 on May 29, 2003, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3554 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor