

By: Shapleigh, Lucio

S.B. No. 786

A BILL TO BE ENTITLED

AN ACT

relating to establishing task forces in certain border communities to study impediments to trade in the border region.

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

SECTION 1. DEFINITIONS. In this Act:

(1) "Border region" means the area composed of the counties of Brewster, Cameron, Culberson, Dimmit, El Paso, Hidalgo, Hudspeth, Jeff Davis, Kinney, La Salle, Maverick, Presidio, Starr, Terrell, Val Verde, Webb, Willacy, Zapata, and Zavala.

(2) "Task force" means a border community trade task force established under this Act.

SECTION 2. BORDER COMMUNITY TRADE TASK FORCE. The lieutenant governor and speaker of the house of representatives shall establish a border community trade task force for each of the four municipalities with the largest populations in the border region to identify procedural and infrastructure impediments to the free flow of trade between the United States and Mexico along the border region and make findings and recommendations as considered appropriate regarding those trade impediments.

SECTION 3. MEMBERSHIP; OFFICERS. (a) As soon as practicable after the effective date of this Act, the speaker of the house of representatives and lieutenant governor jointly shall appoint the following members to serve on each task force:

(1) one or more persons representing the United States

1 Department of Homeland Security;

2 (2) one person representing the governmental agency of
3 Mexico that performs the functions of a transportation department;

4 (3) one person representing the Texas Department of
5 Transportation;

6 (4) one person representing the Department of Public
7 Safety of the State of Texas;

8 (5) one person representing the interests of local
9 customs brokers;

10 (6) one person representing the interests of local
11 freight forwarders;

12 (7) one person representing the interests of motor
13 carriers;

14 (8) one person representing the interests of drayage
15 carriers;

16 (9) one person representing the local maquiladora
17 industry;

18 (10) one person representing the interests of plant or
19 crop agriculture; and

20 (11) one person representing the interests of animal
21 agriculture.

22 (b) The speaker of the house of representatives and
23 lieutenant governor shall jointly select the presiding officer of
24 each task force from among the task force members. A task force may
25 designate other officers as the task force considers appropriate.

26 SECTION 4. ASSISTANCE; EXPENSES. (a) Each task force may
27 request assistance and information, other than confidential

1 information relating to an individual, from the Department of
2 Public Safety of the State of Texas and the Texas Department of
3 Transportation. The departments shall provide the assistance and
4 information requested to the extent practicable.

5 (b) The Texas Department of Transportation is responsible
6 for the expenses of its representative's service on each task
7 force.

8 (c) The Department of Public Safety of the State of Texas is
9 responsible for the expenses of its representative's service on
10 each task force.

11 SECTION 5. TASK FORCE DUTIES. (a) Each task force shall
12 study and evaluate the procedures and practices maintained at the
13 port of entry between Texas and Mexico nearest to the municipality
14 represented by the task force to determine what modifications could
15 be made to expedite the flow of trade from Mexico, including:

16 (1) identifying the cause of traffic congestion at the
17 border crossing from Mexico;

18 (2) reviewing customs broker practices, including the
19 batch release process;

20 (3) reviewing the drayage business and drayage
21 concerns;

22 (4) reviewing United States Department of Homeland
23 Security animal and plant health inspection practices;

24 (5) reviewing and considering the standardization of
25 the hours of operation for financial institutions, customs brokers,
26 United States Customs Service offices, United States Department of
27 Homeland Security offices, and maquiladoras along the Texas-Mexico

1 border;

2 (6) determining the feasibility of establishing a
3 program authorizing the Department of Public Safety of the State of
4 Texas officers or inspectors certified by the department to conduct
5 commercial vehicle and driver safety inspections in Mexico;

6 (7) reviewing United States Customs Service practices
7 to determine what procedures and processes need to be changed to
8 permit a precleared Mexican commercial vehicle to bypass the
9 primary customs inspection point;

10 (8) determining the feasibility of interagency
11 agreements that would allow a state agency to administer the laws of
12 this state relating to the registration of motor carriers and the
13 inspection of commercial motor vehicles for another state agency;
14 and

15 (9) identifying the federal and state infrastructure
16 and manpower resources necessary to expedite the free flow of trade
17 across the border crossing from Mexico.

18 (b) Each task force shall also study the primary and
19 secondary inspection processes relating to motor carrier safety
20 regulations and commercial driver's licensure requirements
21 administered by the Department of Public Safety of the State of
22 Texas to determine which of those processes, regulations, and
23 requirements may be automated to expedite the free flow of trade
24 across the border crossing from Mexico.

25 (c) Each task force shall focus on analyzing current
26 situations and developing solutions in anticipation of the removal
27 of geographical access barriers on Mexican commercial trucks.

1 SECTION 6. REPORTS. Not later than December 31, 2004, each
2 task force shall file a report of the task force's activities,
3 findings, and recommendations with the lieutenant governor and the
4 speaker of the house of representatives. Each report shall include
5 any recommendations for legislative or administrative action the
6 task force considers appropriate.

7 SECTION 7. EXPIRATION. The task forces are abolished and
8 this Act expires September 1, 2005.

9 SECTION 8. EFFECTIVE DATE. This Act takes effect
10 immediately if it receives a vote of two-thirds of all the members
11 elected to each house, as provided by Section 39, Article III, Texas
12 Constitution. If this Act does not receive the vote necessary for
13 immediate effect, this Act takes effect September 1, 2003.