

By: Shapleigh

S.B. No. 786

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to establishing task forces in certain border communities  
3 to study impediments to trade in the border region.

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

5 SECTION 1. DEFINITIONS. In this Act:

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

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

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

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

24 (1) one person representing the United States Customs

1 Service;

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;

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; and

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

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

22 SECTION 4. ASSISTANCE; EXPENSES. (a) Each task force may  
23 request assistance and information, other than confidential  
24 information relating to an individual, from the Department of  
25 Public Safety and the Texas Department of Transportation. The  
26 departments shall provide the assistance and information requested  
27 to the extent practicable.

1           (b) The Texas Department of Transportation is responsible  
2 for the expenses of its representative's service on each task  
3 force.

4           (c) The Department of Public Safety is responsible for the  
5 expenses of its representative's service on each task force.

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

11           (1) identifying the cause of traffic congestion at the  
12 border crossing from Mexico;

13           (2) reviewing customs broker practices, including the  
14 batch release process;

15           (3) reviewing the drayage business and drayage  
16 concerns;

17           (4) reviewing and considering the standardization of  
18 the hours of operation for financial institutions, customs brokers,  
19 United States Customs Service offices, and maquiladoras along the  
20 Texas-Mexico border;

21           (5) determining the feasibility of establishing a  
22 program authorizing the Department of Public Safety officers or  
23 inspectors certified by the department to conduct commercial  
24 vehicle and driver safety inspections in Mexico;

25           (6) reviewing United States Customs Service practices  
26 to determine what procedures and processes need to be changed to  
27 permit a precleared Mexican commercial vehicle to bypass the

1 primary customs inspection point;

2 (7) determining the feasibility of interagency  
3 agreements that would allow a state agency to administer the laws of  
4 this state relating to the registration of motor carriers and the  
5 inspection of commercial motor vehicles for another state agency;  
6 and

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

10 (b) Each task force shall also study the primary and  
11 secondary inspection processes relating to motor carrier safety  
12 regulations and commercial driver's licensure requirements  
13 administered by the Department of Public Safety to determine which  
14 of those processes, regulations, and requirements may be automated  
15 to expedite the free flow of trade across the border crossing from  
16 Mexico.

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

20 SECTION 6. REPORTS. Not later than December 31, 2004,  
21 each task force shall file a report of the task force's activities,  
22 findings, and recommendations with the lieutenant governor and the  
23 speaker of the house of representatives. Each report shall include  
24 any recommendations for legislative or administrative action the  
25 task force considers appropriate.

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

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