

BILL ANALYSIS

C.S.H.B. 1083
By: Veasey
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Contract carriers transport train operating crews to and from trains, and between terminals. Railroads often save money using the services of outside vendors. Generally, the vehicle the contract carrier uses is a small passenger van designed to transport eight or fewer passengers, including the driver. The contract carrier may transport crews between two local points or across long distances. In certain cases, these trips may take several hours.

When contract carriers were first regulated in 1997, they were mostly small businesses with a regional scope. Since that time large businesses have grown to provide these carrier services.

Current law does not designate mandatory alcohol and drug testing for contract carriers. The proposed text amends the contract carrier law to require drug and alcohol testing of vehicle operators, which will lessen the likelihood of accidents that can injure contract carrier vehicle passengers or the public at large.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Public Safety in SECTION 1 of this bill.

ANALYSIS

SECTION 1 amends Section 644.054 of the Transportation Code by amending Subsection (b) and adding Subsection (c). Under the Act, a contract carrier will be required to perform alcohol and drug testing of vehicle operators upon employment, upon suspicion of alcohol or drug abuse, and periodically as determined by the Department of Public Safety. A contract carrier will be required to maintain liability insurance for \$1.5 million on each vehicle, at a minimum. The Act also requires the Department of Public Safety to inform contract carriers and railroad companies that employ contract carriers of the state statutes applicable to their services.

SECTION 2 provides that this Act takes effect September 1, 2007.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute for HB 1083 omits paragraph (6) under Subsection (b) of the original, which would require contract carriers to hold a commercial driver's license under Chapter 522 of the Transportation Code. Paragraph (7) of the original becomes paragraph (6) in the substitute for HB 1083.