

BILL ANALYSIS

C.S.H.B. 3962
By: Castro
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Walking is the most dangerous mode of travel in terms of fatalities experienced per mile, according to the Surface Transportation Policy Project. Across Texas, 2382 pedestrians and bicyclists were killed between 2001 and 2005. As has been noted in the media, many area children walk to school along streets with no sidewalks and individuals using wheelchairs are also forced into the streets when sidewalks are absent or in impassable condition. Transit users face similar difficulties accessing bus stops. Currently in Texas there is no dedicated source of revenue available at the state level to support pedestrian and bicycle improvements.

C.S.H.B. 3962 authorizes counties to impose an additional vehicle registration fee in order to provide a dedicated source of funding for pedestrian and bicycle safety improvements that are part of public roadways. Under C.S.H.B. 3962, a county must use the additional fee revenue for the acquisition of rights of way and construction and maintenance of bicycle lanes, sidewalks, and other pedestrian facilities that enhance pedestrian and bicycle safety on the county's public roadways. A county imposing a fee under this section may fund facilities that improve access to public transportation if such facilities are part of the county's public roadways, but must consult with the county's providers of public transportation regarding the use of the revenue.

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

C.S.H.B. 3962 allows a commissioners court to impose an additional vehicle registration fee not to exceed \$10. Vehicles that currently do not pay a fee will not be required to pay a fee under this section. The additional fee will take effect only on January 1 of a year. A commissioners court imposing the fee shall notify the Texas Department of Transportation (the department) no later than September 1 of the preceding year. The bill allows the commissioners court to remove the fee starting on January 1 of a year by rescinding the order that imposes the fee and notifying the department no later than September 1 of the preceding year. The county tax assessor-collector shall collect the additional fee. The bill requires the department to collect the additional fee on vehicles that must be registered directly with the department. The department shall send all fees collected for a county to the appropriate county officer to be credited to the county pedestrian and bicycle facility fund. The department shall adopt rules and develop forms necessary to administer registration by mail. The bill restricts the use of revenues from the fee to acquisition of rights of way and to the construction and maintenance of bicycle lanes, sidewalks, and other pedestrian facilities that enhance pedestrian and bicycle safety on the county's public roadways. The bill allows fee revenues to fund facilities that improve access to public transportation if such facilities are part of the county's public roadways. The bill requires the county imposing a fee to consult with providers of public transportation located within the county regarding the use of the revenue from a fee. The bill defines "public transportation" as having the meaning assigned by Section 458.001, Transportation Code.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 3962 is a Texas Legislative Council draft. There are no material changes to the bill, only conforming changes to the language.