

By: Rodriguez

H.B. No. 3213

A BILL TO BE ENTITLED

AN ACT

relating to the consolidation of state vehicle fleets.

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

SECTION 1. Section 2171.101(a), Government Code, is amended to read as follows:

(a) The office of vehicle fleet management shall establish a vehicle reporting system to assist each state agency that manages a vehicle fleet in the management of its vehicle fleet. A state agency shall be required to submit the reports on a quarterly basis, not earlier than the 45th day or later than the 60th day after the date on which the quarter ends.

SECTION 2. Sections 2171.104(b) and (c), Government Code, are amended to read as follows:

(b) The Texas Department of Transportation, Department of Public Safety of the State of Texas, Health and Human Services Commission [~~Texas Department of Mental Health and Mental Retardation~~], Parks and Wildlife Department, and Texas Department of Criminal Justice shall assist the office of vehicle fleet management in preparing the management plan for the state's vehicle fleet.

(c) The management plan must address:

(1) [~~opportunities for consolidating and privatizing~~] the operation and management of the consolidated vehicle fleets managed by the commission and the Health and Human Services

1 Commission [~~in areas where there is a concentration of state~~
2 ~~agencies, including the Capitol Complex and the Health and Human~~
3 ~~Services Complex in Austin~~];

4 (2) the number and type of vehicles owned by each
5 agency that manages a vehicle fleet and the purpose each vehicle
6 serves;

7 (3) procedures to increase vehicle use and improve the
8 efficiency of the state vehicle fleet;

9 (4) procedures to reduce the cost of maintaining state
10 vehicles;

11 (5) procedures to handle surplus or salvage state
12 vehicles; and

13 (6) lower-cost alternatives to using state-owned
14 vehicles, including:

15 (A) using rental cars; and

16 (B) reimbursing employees for using personal
17 vehicles.

18 SECTION 3. Section 2171.1045, Government Code, is amended
19 to read as follows:

20 Sec. 2171.1045. RESTRICTIONS ON ASSIGNMENT OF VEHICLES.
21 Each state agency shall adopt rules, consistent with the management
22 plan adopted under Section 2171.104, relating to the assignment and
23 use of state [~~the agency's~~] vehicles. The rules must require that:

24 (1) each state [~~agency~~] vehicle, with the exception of
25 a vehicle assigned to a field employee, be assigned to the
26 appropriate agency motor pool and be available for checkout; and

27 (2) an agency may assign a vehicle to an individual

1 administrative or executive employee on a regular or everyday basis
2 only if the agency makes a written documented finding that the
3 assignment is critical to the needs and mission of the agency.

4 SECTION 4. Subchapter C, Chapter 2171, Government Code, is
5 amended by adding Section 2171.106 to read as follows:

6 Sec. 2171.106. CONSOLIDATED FLEET OPERATIONS. (a) This
7 section does not apply to an institution of higher education as
8 defined by Section 61.003, Education Code.

9 (b) Only the following six state agencies may manage a
10 vehicle fleet:

- 11 (1) Texas Department of Transportation;
- 12 (2) Department of Public Safety of the State of Texas;
- 13 (3) Texas Department of Criminal Justice;
- 14 (4) Parks and Wildlife Department;
- 15 (5) Health and Human Services Commission; and
- 16 (6) the commission.

17 (c) The Health and Human Services Commission shall make
18 vehicles available for use by health and human services agencies.
19 The commission shall make vehicles available for use by each state
20 agency except a health and human services agency or an agency listed
21 in Subsections (b)(1)-(5).

22 (d) The Health and Human Services Commission and the
23 commission shall charge other state agencies a per-mile fee for the
24 use of a vehicle under Subsection (c) to recover the direct and
25 indirect costs of owning and operating the vehicle, including the
26 cost of fuel, maintenance, and fleet administration.

27 (e) The Health and Human Services Commission and the

1 commission shall each adopt rules necessary to manage the agency's
2 vehicle fleet and make vehicles available to other agencies as
3 provided by this section.

4 SECTION 5. (a) Before December 1, 2007, the Health and Human
5 Services Commission shall establish a transition plan with each of
6 the following agencies for the transfer of vehicles owned by the
7 agency to the Health and Human Services Commission:

8 (1) Department of Assistive and Rehabilitative
9 Services;

10 (2) Department of Family and Protective Services;

11 (3) Department of Aging and Disability Services; and

12 (4) Department of State Health Services.

13 (b) On the date established by the plan in Subsection (a) of
14 this section, a state agency shall transfer ownership, possession,
15 and control of its vehicles to the Health and Human Services
16 Commission.

17 SECTION 6. (a) Before December 1, 2007, the Texas Building
18 and Procurement Commission shall establish a transition plan with
19 each of the following agencies to phase in on a quarterly basis the
20 transfer of vehicles owned by each agency to the Texas Building and
21 Procurement Commission:

22 (1) Adjutant General's Department;

23 (2) Comptroller of Public Accounts;

24 (3) Department of Agriculture;

25 (4) Department of Information Resources;

26 (5) General Land Office;

27 (6) Office of the Attorney General;

- 1 (7) Secretary of State;
- 2 (8) State Soil and Water Conservation Board;
- 3 (9) Texas Alcoholic Beverage Commission;
- 4 (10) Texas Animal Health Commission;
- 5 (11) Texas State Board of Pharmacy;
- 6 (12) Texas Commission on Environmental Quality;
- 7 (13) Texas Commission on Fire Protection;
- 8 (14) Texas Department of Insurance;
- 9 (15) Texas Department of Licensing and Regulation;
- 10 (16) Texas Education Agency;
- 11 (17) Texas Historical Commission;
- 12 (18) Texas Juvenile Probation Commission;
- 13 (19) Texas Lottery Commission;
- 14 (20) Railroad Commission of Texas;
- 15 (21) Texas School for the Blind and Visually Impaired;
- 16 (22) Texas School for the Deaf;
- 17 (23) Texas State Board of Plumbing Examiners;
- 18 (24) Texas State Library and Archives Commission;
- 19 (25) Texas Water Development Board;
- 20 (26) Texas Workforce Commission; and
- 21 (27) Texas Youth Commission.

22 (b) On the date established by the plan in Subsection (a) of
23 this section, a state agency shall transfer ownership, possession,
24 and control of its vehicles to the Texas Building and Procurement
25 Commission.

26 SECTION 7. This Act takes effect September 1, 2007.