

AN ACT

relating to motor vehicle inspection facilities near the border of this state and Mexico.

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

SECTION 1. Section 201.613, Transportation Code, is amended to read as follows:

Sec. 201.613. ONE-STOP BORDER INSPECTION FACILITIES [~~STATIONS~~]. (a) The department shall erect and maintain border [~~choose a location for an~~] inspection facilities [~~station~~] along a major highway at or near a border crossing from Mexico in the Pharr [~~Brownsville~~], [~~in~~] Laredo, and [~~in~~] El Paso districts for the inspection of motor vehicles for compliance with federal and state commercial motor vehicle regulations [~~so that all federal, state, and municipal agencies that regulate the passage of persons or vehicles across the border at that border crossing may be located in one place~~].

(b) If a facility that serves a bridge that had more than 900,000 commercial border crossings during the state fiscal year ending August 31, 2002, is to be located in a municipality or a municipality's extraterritorial jurisdiction, the municipality may choose the location of the facility within the municipality or the municipality's extraterritorial jurisdiction. The municipality shall choose a location before the later of the 180th day after:

(1) the date the department makes a request for a

1 location; or

2 (2) the effective date of the Act enacting this
3 provision.

4 (c) One or more inspection facilities may be constructed in
5 a municipality described by this section.

6 (d) In determining the location for a border inspection
7 facility under Subsection (b), the municipality shall:

8 (1) obtain and pay for an independent study completed
9 by a university that conducts transportation studies or any other
10 entity that conducts transportation studies to identify commercial
11 truck traffic patterns for the location at which the facility is to
12 be located to ensure that the location has adequate capacity to
13 conduct a sufficient number of meaningful vehicle safety
14 inspections in compliance with 49 U.S.C. Section 13902;

15 (2) choose a location that does not impair the receipt
16 of federal or state funds for implementation of this section;

17 (3) choose a location within one mile of an
18 international border;

19 (4) choose a location within one mile of the U.S.
20 Customs and Border Protection federal port of entry; and

21 (5) choose a location that provides a dedicated route
22 for commercial vehicles coming from the federal port of entry to the
23 state port of entry commercial vehicle inspection station.

24 (e) To the extent the department considers appropriate to
25 expedite commerce, the department shall provide for implementation
26 by the appropriate agencies of the use of Intelligent
27 Transportation Systems for Commercial Vehicle Operations (ITS/CVO)

1 in:

2 (1) any new commercial motor vehicle inspection
3 facility constructed; and

4 (2) any existing facility to which this section
5 applies.

6 (f) Implementation of systems under Subsection (e) must be
7 based on the Texas ITS/CVO business plan prepared by the
8 department, the Department of Public Safety, and the comptroller.
9 The department shall coordinate with other state and federal
10 transportation officials to develop interoperability standards for
11 the systems.

12 (g) In implementing systems under Subsection (e) in the
13 construction of a facility, the department to the greatest extent
14 possible shall:

15 (1) enhance efficiency and reduce complexity for motor
16 carriers by providing:

17 (A) a single point of contact between carriers
18 and state and federal officials regulating the carriers; and

19 (B) a single point of information, available to
20 wireless access, about federal and state regulatory and enforcement
21 requirements;

22 (2) prevent duplication of state and federal
23 procedures and locations for regulatory and enforcement
24 activities, including consolidation of collection of applicable
25 fees;

26 (3) link information systems of the department, the
27 Department of Public Safety, the comptroller, and, to the extent

1 possible, the United States Department of Transportation and other
2 appropriate regulatory and enforcement entities; and

3 (4) take other necessary action to:

4 (A) facilitate the flow of commerce;

5 (B) assist federal interdiction efforts;

6 (C) protect the environment by reducing idling
7 time of commercial motor vehicles at the facilities;

8 (D) prevent highway damage caused by overweight
9 commercial motor vehicles; and

10 (E) seek federal funds to assist in the
11 implementation of this section. [~~The department shall establish~~
12 ~~and maintain an inspection station at the locations chosen in~~
13 ~~Subsection (a) only if the federal agencies involved in the~~
14 ~~regulation of the passage of persons or vehicles at that border~~
15 ~~crossing agree to the design of the facility at each location and~~
16 ~~agree to use the facility at each location if built.~~

17 [~~(c) The department may enter into agreements with federal,~~
18 ~~state, and municipal agencies to accomplish the purpose of this~~
19 ~~section. An agreement may involve the lease of office space at the~~
20 ~~inspection station by the department to the agency.]~~

21 SECTION 2. The Texas Department of Transportation shall
22 spend the money appropriated during the 76th Legislature for
23 Section 201.613, Transportation Code, as added by Chapter 1527,
24 Acts of the 76th Legislature, Regular Session, 1999, or money
25 received from the federal government to establish the border
26 inspection facilities under Section 201.613, Transportation Code,
27 as amended by this Act.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 3594 was passed by the House on May 8, 2007, by the following vote: Yeas 146, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3594 on May 25, 2007, by the following vote: Yeas 137, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3594 was passed by the Senate, with amendments, on May 22, 2007, by the following vote: Yeas 29, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor