

By: Raymond

H.B. No. 3594

A BILL TO BE ENTITLED

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) Only one inspection facility shall be constructed in a  
5 municipality described by this subsection.

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

15 (e) To the extent the department considers appropriate to  
16 expedite commerce, the department shall provide for implementation  
17 by the appropriate agencies of the use of Intelligent  
18 Transportation Systems for Commercial Vehicle Operations (ITS/CVO)  
19 in:

20 (1) any new commercial motor vehicle inspection  
21 facility constructed; and

22 (2) any existing facility to which this section  
23 applies.

24 (f) Implementation of systems under Subsection (e) must be  
25 based on the Texas ITS/CVO business plan prepared by the  
26 department, the Department of Public Safety, and the comptroller.  
27 The department shall coordinate with other state and federal

1 transportation officials to develop interoperability standards for  
2 the systems.

3 (g) In implementing systems under Subsection (e) in the  
4 construction of a facility, the department to the greatest extent  
5 possible shall:

6 (1) enhance efficiency and reduce complexity for motor  
7 carriers by providing:

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

10 (B) a single point of information, available to  
11 wireless access, about federal and state regulatory and enforcement  
12 requirements;

13 (2) prevent duplication of state and federal  
14 procedures and locations for regulatory and enforcement  
15 activities, including consolidation of collection of applicable  
16 fees;

17 (3) link information systems of the department, the  
18 Department of Public Safety, the comptroller, and, to the extent  
19 possible, the United States Department of Transportation and other  
20 appropriate regulatory and enforcement entities; and

21 (4) take other necessary action to:

22 (A) facilitate the flow of commerce;

23 (B) assist federal interdiction efforts;

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

26 (D) prevent highway damage caused by overweight  
27 commercial motor vehicles; and

1                   (E) seek federal funds to assist in the  
2 implementation of this section. [~~The department shall establish~~  
3 ~~and maintain an inspection station at the locations chosen in~~  
4 ~~Subsection (a) only if the federal agencies involved in the~~  
5 ~~regulation of the passage of persons or vehicles at that border~~  
6 ~~crossing agree to the design of the facility at each location and~~  
7 ~~agree to use the facility at each location if built.~~

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

12                   SECTION 2. The Texas Department of Transportation shall  
13 spend the money appropriated during the 76th Legislature for  
14 Section 201.613, Transportation Code, as added by Chapter 1527,  
15 Acts of the 76th Legislature, Regular Session, 1999, or money  
16 received from the federal government to establish the border  
17 inspection facilities under Section 201.613, Transportation Code,  
18 as amended by this Act.

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