

1-1 By: Raymond (Senate Sponsor - Zaffirini) H.B. No. 3594
1-2 (In the Senate - Received from the House May 9, 2007;
1-3 May 10, 2007, read first time and referred to Committee on
1-4 International Relations and Trade; May 16, 2007, reported
1-5 favorably by the following vote: Yeas 7, Nays 0; May 16, 2007,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to motor vehicle inspection facilities near the border of
1-10 this state and Mexico.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 201.613, Transportation Code, is amended
1-13 to read as follows:

1-14 Sec. 201.613. ONE-STOP BORDER INSPECTION FACILITIES
1-15 ~~[STATIONS]~~. (a) The department shall erect and maintain border
1-16 ~~[choose a location for an]~~ inspection facilities ~~[station]~~ along a
1-17 major highway at or near a border crossing from Mexico in the Pharr
1-18 ~~[Brownsville]~~, ~~[in]~~ Laredo, and ~~[in]~~ El Paso districts for the
1-19 inspection of motor vehicles for compliance with federal and state
1-20 commercial motor vehicle regulations ~~[so that all federal, state,~~
1-21 ~~and municipal agencies that regulate the passage of persons or~~
1-22 ~~vehicles across the border at that border crossing may be located in~~
1-23 ~~one place]~~.

1-24 (b) If a facility that serves a bridge that had more than
1-25 900,000 commercial border crossings during the state fiscal year
1-26 ending August 31, 2002, is to be located in a municipality or a
1-27 municipality's extraterritorial jurisdiction, the municipality may
1-28 choose the location of the facility within the municipality or the
1-29 municipality's extraterritorial jurisdiction. The municipality
1-30 shall choose a location before the later of the 180th day after:

1-31 (1) the date the department makes a request for a
1-32 location; or

1-33 (2) the effective date of the Act enacting this
1-34 provision.

1-35 (c) Only one inspection facility shall be constructed in a
1-36 municipality described by this subsection.

1-37 (d) In determining the location for a border inspection
1-38 facility under Subsection (b), the municipality shall:

1-39 (1) obtain and pay for an independent study completed
1-40 by a university that conducts transportation studies or any other
1-41 entity that conducts transportation studies to identify commercial
1-42 truck traffic patterns for the location at which the facility is to
1-43 be located to ensure that the location has adequate capacity to
1-44 conduct a sufficient number of meaningful vehicle safety
1-45 inspections in compliance with 49 U.S.C. Section 13902; and

1-46 (2) choose a location that does not impair the receipt
1-47 of federal or state funds for implementation of this section.

1-48 (e) To the extent the department considers appropriate to
1-49 expedite commerce, the department shall provide for implementation
1-50 by the appropriate agencies of the use of Intelligent
1-51 Transportation Systems for Commercial Vehicle Operations (ITS/CVO)
1-52 in:

1-53 (1) any new commercial motor vehicle inspection
1-54 facility constructed; and

1-55 (2) any existing facility to which this section
1-56 applies.

1-57 (f) Implementation of systems under Subsection (e) must be
1-58 based on the Texas ITS/CVO business plan prepared by the
1-59 department, the Department of Public Safety, and the comptroller.
1-60 The department shall coordinate with other state and federal
1-61 transportation officials to develop interoperability standards for
1-62 the systems.

1-63 (g) In implementing systems under Subsection (e) in the
1-64 construction of a facility, the department to the greatest extent

2-1 possible shall:
2-2 (1) enhance efficiency and reduce complexity for motor
2-3 carriers by providing:

2-4 (A) a single point of contact between carriers
2-5 and state and federal officials regulating the carriers; and

2-6 (B) a single point of information, available to
2-7 wireless access, about federal and state regulatory and enforcement
2-8 requirements;

2-9 (2) prevent duplication of state and federal
2-10 procedures and locations for regulatory and enforcement
2-11 activities, including consolidation of collection of applicable
2-12 fees;

2-13 (3) link information systems of the department, the
2-14 Department of Public Safety, the comptroller, and, to the extent
2-15 possible, the United States Department of Transportation and other
2-16 appropriate regulatory and enforcement entities; and

2-17 (4) take other necessary action to:

2-18 (A) facilitate the flow of commerce;

2-19 (B) assist federal interdiction efforts;

2-20 (C) protect the environment by reducing idling
2-21 time of commercial motor vehicles at the facilities;

2-22 (D) prevent highway damage caused by overweight
2-23 commercial motor vehicles; and

2-24 (E) seek federal funds to assist in the
2-25 implementation of this section. [The department shall establish

2-26 and maintain an inspection station at the locations chosen in
2-27 Subsection (a) only if the federal agencies involved in the
2-28 regulation of the passage of persons or vehicles at that border
2-29 crossing agree to the design of the facility at each location and
2-30 agree to use the facility at each location if built.

2-31 [(c) The department may enter into agreements with federal,
2-32 state, and municipal agencies to accomplish the purpose of this
2-33 section. An agreement may involve the lease of office space at the
2-34 inspection station by the department to the agency.]

2-35 SECTION 2. The Texas Department of Transportation shall
2-36 spend the money appropriated during the 76th Legislature for
2-37 Section 201.613, Transportation Code, as added by Chapter 1527,
2-38 Acts of the 76th Legislature, Regular Session, 1999, or money
2-39 received from the federal government to establish the border
2-40 inspection facilities under Section 201.613, Transportation Code,
2-41 as amended by this Act.

2-42 SECTION 3. This Act takes effect immediately if it receives
2-43 a vote of two-thirds of all the members elected to each house, as
2-44 provided by Section 39, Article III, Texas Constitution. If this
2-45 Act does not receive the vote necessary for immediate effect, this
2-46 Act takes effect September 1, 2007.

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