

By: Castro

H.B. No. 3962

Substitute the following for H.B. No. 3962:

By: Leibowitz

C.S.H.B. No. 3962

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to an optional county fee on registration of a vehicle to  
3 fund facilities that enhance pedestrian and bicycle safety.

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

5 SECTION 1. Subchapter D, Chapter 502, Transportation Code,  
6 is amended by adding Section 502.1725 to read as follows:

7 Sec. 502.1725. OPTIONAL COUNTY FEE FOR PEDESTRIAN AND  
8 BICYCLE SAFETY. (a) The commissioners court of a county by order  
9 may impose an additional fee, not to exceed \$10, for registering a  
10 vehicle in the county.

11 (b) A vehicle that may be registered under this chapter  
12 without payment of a registration fee may be registered in a county  
13 imposing a fee under this section without payment of the additional  
14 fee.

15 (c) A fee imposed under this section may take effect only on  
16 January 1 of a year. The county must adopt the order and notify the  
17 department not later than September 1 of the year preceding the year  
18 in which the fee takes effect.

19 (d) A fee imposed under this section may be removed. The  
20 removal may take effect only on January 1 of a year. A county may  
21 remove the fee only by:

22 (1) rescinding the order imposing the fee; and

23 (2) notifying the department not later than September  
24 1 of the year preceding the year in which the removal takes effect.

1       (e) The county assessor-collector of a county imposing a fee  
2 under this section shall collect the additional fee for a vehicle  
3 when other fees imposed under this chapter are collected.

4       (f) The department shall collect the additional fee on a  
5 vehicle that is owned by a resident of a county imposing a fee under  
6 this section and that, under this chapter, must be registered  
7 directly with the department. The department shall send all fees  
8 collected for a county under this subsection to the county  
9 treasurer or the county official who serves the function of a  
10 treasurer.

11       (g) The department shall adopt rules and develop forms  
12 necessary to administer registration by mail for a vehicle being  
13 registered in a county imposing a fee under this section.

14       (h) A county shall use revenue from a fee imposed under this  
15 section to acquire rights-of-way for and construct and maintain  
16 facilities that enhance pedestrian and bicycle safety on a public  
17 highway located in the county, including bicycle lanes and  
18 sidewalks.

19       (i) A county imposing a fee under this section may fund  
20 facilities that:

21               (1) are part of a public highway located in the county;  
22 and

23               (2) improve access to public transportation.

24       (j) A county imposing a fee under this section shall consult  
25 on the use of revenue from the fee with any of the following  
26 providers of public transportation located within the county:

27               (1) a metropolitan rapid transit authority

1 established under Chapter 451;

2 (2) a municipal transit department established under  
3 Chapter 453;

4 (3) a municipal mass transportation system  
5 established under Chapter 454; or

6 (4) a rural or urban transit district established  
7 under Chapter 458.

8 (k) In this section, "public transportation" has the  
9 meaning assigned by Section 458.001, Transportation Code.

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