

By: Castro

H.B. No. 3962

A BILL TO BE ENTITLED

AN ACT

relating to an optional county fee on registration of a vehicle to fund facilities enhancing pedestrian and bicycle safety.

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

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

Sec. 502.1725. OPTIONAL COUNTY FEE FOR PUBLIC TRANSPORTATION. (a) The commissioners court of a county by order may impose an additional fee, not to exceed \$10, for registering a vehicle in the county.

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

(c) A fee imposed under this section may take effect only on January 1 of a year. The county must adopt the order and notify the department no later than September 1 of the year preceding the year in which the fee takes effect.

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

(1) rescinding the order and imposing the fee; and
(2) notifying the department no later than September 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 section are collected.

4 (f) The department shall collect the additional fee on a
5 vehicle that is owned by a resident of the county imposing a fee
6 under 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, if the county does not have a treasurer, to the county
10 official who serves the function of the treasurer to be credited to
11 the county pedestrian and bicycle facility fund.

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

15 (h) A county shall use revenue from a fee imposed under this
16 section for the acquisition of rights of way and construction and
17 maintenance of bicycle lanes, sidewalks, and other pedestrian
18 facilities that enhance pedestrian and bicycle safety on the
19 county's public roadways.

20 (i) A county imposing a fee under this section may fund
21 facilities that improve access to public transportation if such
22 facilities are part of the county's public roadways.

23 (j) If any of the following providers of public
24 transportation are located within a county imposing a fee under
25 this section, the county shall consult with the provider of public
26 transportation regarding the use of the revenue from a fee imposed
27 under this section:

1 (1) a metropolitan rapid transit authority
2 established under Chapter 451;

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

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

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

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

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