

SENATE AMENDMENTS

2nd Printing

By: Taylor

H.B. No. 1638

A BILL TO BE ENTITLED

AN ACT

relating to enforcement of commercial motor vehicle safety standards in certain municipalities.

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

SECTION 1. Section 644.101(b), Transportation Code, is amended to read as follows:

(b) A police officer of any of the following municipalities is eligible to apply for certification under this section:

(1) a municipality with a population of 100,000 or more;

(2) a municipality with a population of 25,000 or more any part of which is located in a county with a population of two million or more;

(3) a municipality with a population of less than 25,000:

(A) any part of which is located in a county with a population of 2.4 million; and

(B) that contains or is adjacent to an international port; ~~or~~

(4) a municipality any part of which is located in a county bordering the United Mexican States; or

(5) a municipality with a population of less than 5,000 that is located:

(A) adjacent to a bay connected to the Gulf of

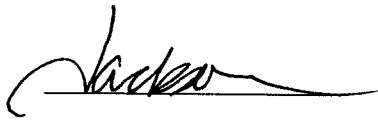
1 Mexico; and

2 (B) in a county adjacent to a county with a
3 population greater than 3.3 million.

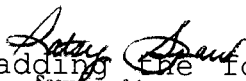
4 SECTION 2. This Act takes effect September 1, 2007.

FLOOR AMENDMENT NO. 1

ADOPTED

BY: 

MAY 21 2007


Secretary of the Senate

1 Amend H.B. No. 1638 by adding the following appropriately
2 numbered SECTION to the bill and renumbering subsequent SECTIONS
3 of the bill accordingly:

4 SECTION ____ . Section 644.103, Transportation Code, is
5 amended by adding Subsections (c-1) and (c-2) to read as
6 follows:

7 (c-1) A vehicle operator may not be issued a citation or be
8 held criminally or administratively liable more than once for
9 the same violation committed on the same calendar day. A person
10 who detains a vehicle under this section shall provide the
11 vehicle operator a written statement, on a form adopted by the
12 department, that indicates:

- 13 (1) the date of the detention;
- 14 (2) whether the detained vehicle was inspected; and
- 15 (3) each violation that was found during the
16 detention, or if no violation was found, a statement to that
17 effect.

18 (c-2) A person who stops a vehicle under this section may
19 not detain or require the vehicle to be inspected if the vehicle
20 operator displays to the person a statement provided under
21 Subsection (c-1) that indicates that the vehicle was detained
22 and inspected within the 15-day period preceding the date of the
23 stop.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 14, 2007

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1638 by Taylor (Relating to enforcement of commercial motor vehicle safety standards in certain municipalities.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to add to those municipalities in which a police officer is eligible to apply for certification to enforce commercial motor vehicle safety standards, a municipality with a population of less than 5,000 that is located adjacent to a bay connected to the Gulf of Mexico and in a county adjacent to a county with a population greater than 3.3 million.

Based on the 2000 U.S. Census, the provisions of the bill would apply to several small municipalities located in Brazoria, Chambers, and Galveston counties.

Local Government Impact

Affected municipalities would be responsible for costs associated with officers attending training to become certified. No significant fiscal impact to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KJG, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 25, 2007

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1638 by Taylor (Relating to the obstruction of emergency vehicles at railroad crossings.),
Committee Report 1st House, Substituted

No fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to add to those municipalities in which a police officer is eligible to apply for certification to enforce commercial motor vehicle safety standards, a municipality with a population of less than 5,000 that is located adjacent to a bay connected to the Gulf of Mexico and in a county adjacent to a county with a population greater than 3.3 million.

Based on the 2000 U.S. Census, the provisions of the bill would apply to several small municipalities located in Brazoria, Chambers, and Galveston counties.

Local Government Impact

Affected municipalities would be responsible for costs associated with officers attending training to become certified. No significant fiscal impact to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KJG, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 7, 2007

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1638** by Taylor (Relating to enforcement of commercial motor vehicle safety standards in certain municipalities.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to add to those municipalities in which a police officer is eligible to apply for certification to enforce commercial motor vehicle safety standards, a municipality with a population of less than 5,000 that is located adjacent to a bay connected to the Gulf of Mexico and in a county adjacent to a county with a population greater than 3.5 million.

Based on the 2000 U.S. Census, there are currently no counties with a population greater than 3.5 million. This fiscal analysis assumes that Harris County, which in the 2000 census had a population of 3.4 million, will reach 3.5 million in the 2010 U.S. Census, at which time the provisions of the bill would become effective and would then apply to several small municipalities located in Brazoria, Chambers, and Galveston counties.

Local Government Impact

Affected municipalities would be responsible for costs associated with officers attending training to become certified. No significant fiscal impact to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KJG, DB

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