

Amend CSSB 294 (Senate committee printing), on third reading, by striking all below the enacting clause and substituting the following:

SECTION 1. Subsection (a), Section 502.172, Transportation Code, is amended to read as follows:

(a) The commissioners court of a county by order may impose an additional fee, not to exceed \$15 [~~\$10~~], for registering a vehicle in the county.

SECTION 2. Section 502.1725, Transportation Code, is amended by amending Subsections (a), (b), (d), (e), (f), and (g), and adding Subsections (e-1), (f-1), (i), (j), (k), (l), and (m) to read as follows:

(a) This section applies only to:

(1) a county:

(A) [~~(1)~~] that borders the United Mexican States;

(B) [~~(2)~~] that has a population of more than 150,000 [~~300,000~~]; and

(C) [~~(3)~~] in which the largest municipality has a population of less than 300,000;

(2) a county that has a population of at least 600,000 and borders the United Mexican States;

(3) a county with a population of more than 325,000 that is located adjacent to:

(A) and international border; and

(B) a county with a population of more than 550,000;

(4) a county with a population of more than one million and in which more than 80 percent of the population resides in a single municipality;

(5) a county for which a regional mobility authority has been created under Chapter 370, Transportation Code, and in which the principal municipality:

(A) has a population of more than 650,000; and

(B) elected all members of its governing body at-large as of January 1, 2009; and

(6) a county, except for the second most populous

county served by the regional mobility authority described by Subsection (a)(5), contiguous to a county described by Subsection (a)(5) and served by the same metropolitan planning organization.

(b) The commissioners court of a county by order may impose an additional fee, not to exceed \$50 [~~\$10~~], for registering a vehicle in the county.

(d) 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 not later than September 1 of the year preceding the year in which the fee takes effect. A fee imposed under this section is not required to be annually reauthorized and remains in effect until removed as provided by Subsection (e).

(e) Subject to Subsection (e-1), a [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 imposing the fee; and

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

(e-1) If the revenue from a fee imposed under this section has been pledged or assigned to secure the payment of bonds or other obligations as provided by Subsection (f-1), the fee may not be removed until the bonds or other obligations secured by the pledge or assignment have been paid or discharged.

(f) The county assessor-collector of a county imposing a fee under this section shall collect the additional fee for a vehicle when other fees imposed under this chapter are collected. The county shall deposit [~~send~~] the fee revenue in a special account in the county general fund. Money in the account may be used only to contract with:

(1) [~~to~~] the regional mobility authority of the county to promote and maintain a public purpose of the county that involves funding [~~fund~~] long-term transportation projects in the county;

(2) a transportation governmental entity designated under Subsection (j) to promote and maintain a public purpose of the county that involves funding long-term transportation projects in the county; or

(3) a public or private entity developing a long-term

transportation project in the county under an agreement with the county, the regional mobility authority of the county, or a transportation governmental entity designated under Subsection (j) to promote and maintain a public purpose of the county.

(f-1) Revenue from a fee imposed under this section may be pledged or assigned by the county, the regional mobility authority of the county with which the county contracts under Subsection (f), or a transportation governmental entity with which the county contracts under Subsection (f) to secure the payment of bonds or other obligations associated with the development of long-term transportation projects in the county as provided by Subsection (f).

(g) The department shall collect the additional fee on a vehicle that is owned by a resident of a county imposing a fee under this section and that, under this chapter, must be registered directly with the department. The department shall send all fees collected for a county under this subsection to the county for deposit and use as provided by Subsection (f) or (f-1) [~~regional mobility authority of the county to fund long-term transportation projects in the county~~].

(i) The total amount of fees imposed by the commissioners court of a county under this section and under Section 502.172 may not exceed \$65.

(j) The department shall designate the governmental entities that serve primarily a transportation function and with which counties may contract under Subsection (f).

(k) Notwithstanding Subsection (b), the fee imposed by the commissioners court of a county with a population of at least 600,000 and that is located on the international border may not exceed \$10.

(l) This subsection applies only if S.B. No. 855, 81st Legislature, Regular Session, 2009, or other similar legislation providing for or authorizing the imposition of a county, municipal, or other local vehicle registration fee for transportation or mobility projects is enacted by the legislature and becomes law, regardless of the relative dates of enactment. The total amount of fees imposed under this section and under S.B. No. 855 or other

similar legislation may not exceed \$60. If S.B. No. 855 or other similar legislation does not become law, this subsection expires January 1, 2011.

(m) Notwithstanding the authority under Subsection (b) to impose the additional fee by order, the commissioners court of a county to which Subsections (a)(3), (a)(4), (a)(5), or (a)(6) applies must call an election on the issue of imposing the additional fee under this section. The election must be held on a uniform election date under Section 41.001, Election Code. If a majority of the votes cast at the election approve the imposition of the fee, the fee is imposed. Notwithstanding subsection (d), a fee imposed under this subsection may take effect on January 1 or June 1 of a year and the county must notify the department not later than four months before the date on which the fee takes effect. Notwithstanding Subsection (e), the county may order the fee removed and shall notify the department not later than September 1 of the year preceding the year in which the removal takes effect.

SECTION 4. Subsections (a)(5) and (a)(6), Section 502.1725, Transportation Code, as amended by this Act do not take effect if S.B. No. 855, Acts of the 81st Legislature, Regular Session, 2009, takes effect according to its terms.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.