

BILL ANALYSIS

H.B. 645
By: Veasey
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Contract carriers transport train operating crews to and from trains, and between terminals. Railroads often save money by using the services of outside vendors as contract carriers. Generally, the vehicle a contract carrier uses is a small passenger van designed to transport eight or fewer passengers, including the driver. The contract carrier may transport crews between two local points or across long distances. In some cases, these trips may take several hours.

When contract carriers were first regulated in 1997, they were mostly small businesses with a regional scope. Since that time, large businesses have grown to provide these carrier services.

In 2005, a contract carrier was involved in a fatal car crash while transporting Texas railroad employees. The driver of the vehicle later tested positive for methamphetamines. Current law does not designate mandatory alcohol and drug testing for contract carriers, which would lessen the likelihood of accidents that can injure contract carrier vehicle passengers or the public at large.

H.B. 645 amends the contract carrier law and requires drug and alcohol testing of vehicle operators.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 of this bill.

ANALYSIS

H.B. 645 amends Transportation Code provisions that apply only to a contract carrier that transports an operating employee of a railroad on a road or highway of Texas in a vehicle designed to carry 15 or fewer passengers. The bill requires Department of Public Safety (DPS) rules regulating the operation of such a contract carrier to require the contract carrier to perform alcohol and drug testing of vehicle operators on employment, on suspicion of alcohol or drug abuse, and periodically as determined by DPS and to require the contract carrier, at a minimum, to maintain liability insurance in the amount of \$1.5 million for each vehicle.

H.B. 645 requires DPS to inform contract carriers and railroad companies that employ contract carriers of the requirements of Texas statutes applicable to contract carriers.

EFFECTIVE DATE

September 1, 2009.