

By: McClendon

H.B. No. 3238

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain revenue from oversize and overweight vehicle permits for the Texas rail relocation and improvement fund.

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

SECTION 1. Section 623.0111(c), Transportation Code, is amended to read as follows:

(c) Of the fees collected under Subsection (a) the following amounts shall be deposited to the general revenue fund and the remainder shall be deposited to the credit of the Texas rail relocation and improvement fund [~~state highway fund~~]:

Number of Counties Designated	Amount Allocated to General Revenue Fund
1-5	\$125
6-20	\$125
21-40	\$345
41-60	\$565
61-80	\$785
81-100	\$900
101-254	\$1,000

SECTION 2. Sections 623.076(a-1) and (c), Transportation Code, are amended to read as follows:

(a-1) The following amounts collected under Subsection (a) shall be deposited to the general revenue fund and the remainder deposited to the credit of the Texas rail relocation and

1 improvement fund [~~state highway fund~~]:

2 Amount of Fee	Amount Allocated to General Revenue Fund
3 \$60 (single-trip permit)	\$30
4 \$120 (30-day permit)	\$60
5 \$180	\$90
6 \$240	\$120
7 \$270	\$135

8 (c) An application for a permit under Section 623.071(c)(3)  
9 or (d) must be accompanied by the permit fee established by the  
10 commission for the permit, not to exceed \$7,000. Of each fee  
11 collected under this subsection, the department shall send:

12 (1) the first \$1,000 to the comptroller for deposit to  
13 the credit of the general revenue fund; and

14 (2) any amount in excess of \$1,000 to the comptroller  
15 for deposit to the credit of the Texas rail relocation and  
16 improvement fund [~~state highway fund~~].

17 SECTION 3. Section 623.078(b), Transportation Code, is  
18 amended to read as follows:

19 (b) The department shall send each fee collected under  
20 Subsection (a) to the comptroller for deposit to the credit of the  
21 Texas rail relocation and improvement fund [~~state highway fund~~].

22 SECTION 4. Section 623.096(a), Transportation Code, is  
23 amended to read as follows:

24 (a) The department shall collect a fee of \$40 for each  
25 permit issued under this subchapter. Of each fee, \$19.70 shall be  
26 deposited to the credit of the general revenue fund and the  
27 remainder deposited to the credit of the Texas rail relocation and

1 improvement fund [~~state highway fund~~].

2 SECTION 5. Section 623.124(b), Transportation Code, is  
3 amended to read as follows:

4 (b) The department shall send each fee collected under this  
5 section to the comptroller. Of each fee received from the  
6 department, the comptroller shall deposit \$7.50 to the credit of  
7 the general revenue fund and \$7.50 to the credit of the Texas rail  
8 relocation and improvement fund [~~state highway fund~~].

9 SECTION 6. Section 623.182(b), Transportation Code, is  
10 amended to read as follows:

11 (b) The department shall send each fee collected under this  
12 subchapter to the comptroller. Of each fee received from the  
13 department, the comptroller shall deposit \$50 to the credit of the  
14 general revenue fund and \$50 to the credit of the Texas rail  
15 relocation and improvement fund [~~state highway fund~~].

16 SECTION 7. This Act takes effect September 1, 2009.