

By: Hinojosa

S.B. No. 294

Substitute the following for S.B. No. 294:

By: Guillen

C.S.S.B. No. 294

A BILL TO BE ENTITLED

AN ACT

relating to optional fees on the registration of a vehicle imposed by a county.

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

SECTION 1. Section 502.172(a), 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), and (k) to read as follows:

(a) This section applies only to a county:

(1) that borders the United Mexican States;

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

(3) in which the largest municipality has a population of less than 300,000; and

(4) that does not border the Gulf of Mexico.

(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

1 January 1 of a year. The county must adopt the order and notify the
2 department not later than September 1 of the year preceding the year
3 in which the fee takes effect. A fee imposed under this section is
4 not required to be annually reauthorized and remains in effect
5 until removed as provided by Subsection (e).

6 (e) Subject to Subsection (e-1), a [A] fee imposed under
7 this section may be removed. The removal may take effect only on
8 January 1 of a year. A county may remove the fee only by:

9 (1) rescinding the order imposing the fee; and

10 (2) notifying the department not later than September
11 1 of the year preceding the year in which the removal takes effect.

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

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

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

26 (2) a transportation governmental entity designated
27 under Subsection (j) to promote and maintain a public purpose of the

1 county that involves funding long-term transportation projects in
2 the county; or

3 (3) a public or private entity developing a long-term
4 transportation project in the county under an agreement with the
5 county, the regional mobility authority of the county, or a
6 transportation governmental entity designated under Subsection (j)
7 to promote and maintain a public purpose of the county.

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

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

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

27 (j) The department shall designate the governmental

1 entities that serve primarily a transportation function and with
2 which counties may contract under Subsection (f).

3 (k) This subsection applies only if S.B. No. 855, Acts of
4 the 81st Legislature, Regular Session, 2009, or other similar
5 legislation providing for or authorizing the imposition of a
6 county, municipal, or other local vehicle registration fee for
7 transportation or mobility projects is enacted by the legislature
8 and becomes law, regardless of the relative dates of enactment. The
9 total amount of fees imposed under this section and under S.B. No.
10 855, Acts of the 81st Legislature, Regular Session, 2009, or other
11 similar legislation may not exceed \$60. If S.B. No. 855, Acts of
12 the 81st Legislature, Regular Session, 2009, or other similar
13 legislation does not become law, this subsection expires January 1,
14 2011.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2009.