

By: Guillen

H.B. No. 3723

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to optional fees on the registration of a vehicle imposed  
3 by a county.

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

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

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

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

- 13 (a) This section applies only to a county:
- 14 (1) that borders the United Mexican States;
  - 15 (2) that has a population of more than 250,000  
16 [~~300,000~~]; [~~and~~]
  - 17 (3) in which the largest municipality has a population  
18 of less than 300,000; and
  - 19 (4) that does not border the Gulf of Mexico.

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

23 (d) A fee imposed under this section may take effect only on  
24 January 1 of a year. The county must adopt the order and notify the

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

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

- 8 (1) rescinding the order imposing the fee; and  
9 (2) notifying the department not later than September  
10 1 of the year preceding the year in which the removal takes effect.

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

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

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

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

1 the county; or

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

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

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

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

26 (j) The department shall designate the governmental  
27 entities that serve primarily a transportation function and with

1 which counties may contract under Subsection (f).

2           SECTION 3. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2011.