

By: Davis

S.B. No. 1346

A BILL TO BE ENTITLED

AN ACT

relating to the deposit of fees for oversize and overweight vehicle permits in the state highway fund.

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

SECTION 1. Subchapter A, Chapter 621, Transportation Code, is amended by adding Section 621.008 to read as follows:

Sec. 621.008. DEPOSIT OF ALL FEES COLLECTED BY DEPARTMENT FOR PERMITS TO STATE HIGHWAY FUND. The department shall send each fee collected for a permit issued by the department under this subtitle, including administrative, highway maintenance, and vehicle supervision fees, to the comptroller for deposit to the credit of the state highway fund.

SECTION 2. Section 621.352(a), Transportation Code, is amended to read as follows:

(a) The commission by rule may establish fees for the administration of Section 621.003 in an amount that, when added to the other fees collected by the department, does not exceed the amount sufficient to recover the actual cost to the department of administering that section. ~~[An administrative fee collected under this section shall be sent to the comptroller for deposit to the credit of the state highway fund and may be appropriated only to the department for the administration of Section 621.003.]~~

SECTION 3. Section 623.0112, Transportation Code, is amended to read as follows:

1 Sec. 623.0112. ADDITIONAL ADMINISTRATIVE FEE. When a
2 person applies for a permit under Section 623.011, the person must
3 pay in addition to other fees an administrative fee adopted by
4 department rule in an amount not to exceed the direct and indirect
5 cost to the department of:

- 6 (1) issuing a sticker under Section 623.011(d);
7 ~~[(2) distributing fees under Section 621.353,]~~ and
8 (2) ~~[(3)]~~ notifying counties under Section 623.013.

9 SECTION 4. Section 623.076(c), Transportation Code, is
10 amended to read as follows:

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

15 ~~[(1) the first \$1,000 to the comptroller for deposit~~
16 ~~to the credit of the general revenue fund; and~~

17 ~~[(2) any amount in excess of \$1,000 to the comptroller~~
18 ~~for deposit to the credit of the state highway fund.]~~

19 SECTION 5. Section 623.096(a), Transportation Code, is
20 amended to read as follows:

21 (a) The department shall collect a fee of \$40 for each
22 permit issued under this subchapter. ~~[Of each fee, \$19.70 shall be~~
23 ~~deposited to the credit of the general revenue fund and the~~
24 ~~remainder deposited to the credit of the state highway fund.]~~

25 SECTION 6. The following provisions of the Transportation
26 Code are repealed:

- 27 (1) Section 621.351(c);

- 1 (2) Section 621.353;
- 2 (3) Section 621.354;
- 3 (4) Section 623.0111(c);
- 4 (5) Section 623.077(b);
- 5 (6) Section 623.078(b);
- 6 (7) Section 623.124(b);
- 7 (8) Section 623.147;
- 8 (9) Section 623.182(b); and
- 9 (10) Section 623.197.

10 SECTION 7. This Act takes effect September 1, 2011.