

MINUTES

SENATE COMMITTEE ON TRANSPORTATION

Wednesday, May 8, 2013

8:00 AM

Capitol Extension, Room E1.016

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Transportation was held on Wednesday, May 8, 2013, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator Robert Nichols, Chair
Senator Ken Paxton, Vice Chair
Senator Donna Campbell
Senator Wendy Davis
Senator Rodney Ellis
Senator Kelly Hancock
Senator Carlos Uresti
Senator Kirk Watson

MEMBERS ABSENT:

Senator Dan Patrick

The chair called the meeting to order at 8:01 AM. The following business was transacted:

The chair laid out HB 1347 and recognized the Senate sponsor, Senator Rodríguez, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 1347 be left pending; without objection, it was so ordered.

Senator Davis assumed the chair.

The chair laid out HB 341 and recognized the Senate sponsor, Senator Nichols, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Davis moved that HB 341 be left pending; without objection, it was so ordered.

The chair laid out HB 347 and recognized the Senate sponsor, Senator Nichols, to explain the bill. Senator Nichols sent up a committee substitute; the chair recognized Senator Nichols to explain the difference between the committee substitute and the house bill as engrossed. Senator Davis moved that HB 347 and its proposed committee substitute be left pending; without objection, it was so ordered.

The chair laid out HB 567 and recognized the Senate sponsor, Senator Nichols, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Davis moved that HB 567 be left pending; without objection, it was so ordered.

Senator Nichols resumed the chair.

The roll was called, and a quorum was established.

The chair laid out HB 2356 and recognized the Senate sponsor, Senator Nelson, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 2356 be left pending; without objection, it was so ordered.

The chair laid out HB 250 and recognized Senator Hancock, in the absence of the Senate sponsor, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 250 be left pending; without objection, it was so ordered.

The chair laid out HB 1534 and recognized the Senate sponsor, Senator Paxton, to explain the bill. Senator Paxton sent up a committee substitute; the chair recognized Senator Paxton to explain the difference between the committee substitute and the house bill as engrossed. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 1534 and its proposed committee substitute be left pending; without objection, it was so ordered.

The chair laid out HB 442 and recognized Senator Paxton, in the absence of the Senate sponsor, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 442 be left pending; without objection, it was so ordered.

The chair laid out HB 248 and recognized the Senate sponsor, Senator Ellis, to explain the bill. Senator Ellis sent up Committee Amendment 1. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 248 and its proposed Committee Amendment be left pending; without objection, it was so ordered.

The chair laid out HB 625 and recognized Senator Paxton, in the absence of the Senate sponsor, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 625 be left pending; without objection, it was so ordered.

The chair laid out HB 3031 and recognized the Senate sponsor, Senator Ellis, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3031 be left pending; without objection, it was so ordered.

The chair moved that the Committee stand at ease; without objection, it was so ordered.

The chair called the Committee back to order at 8:55 AM.

The chair laid out HB 248, which had been left pending earlier in the hearing. Senator Ellis moved adoption of Committee Amendment 1, which was sent up earlier in the hearing; without objection, it was so ordered. Senator Ellis requested unanimous consent to incorporate the amendment into the bill to create a committee substitute; without objection, it was so ordered. Senator Ellis then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Ellis moved that HB 248 do not pass but that CSHB 248 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Ellis moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 250, which had been left pending earlier in the hearing. Senator Paxton moved that HB 250 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Paxton assumed the chair.

The chair laid out HB 341, which had been left pending earlier in the hearing. Senator Nichols moved that HB 341 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Nichols moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 347, which had been left pending earlier in the hearing. Senator Nichols moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was so ordered. Senator Nichols moved that HB 347 do not pass but that CSHB 347 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Nichols moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Nichols resumed the chair.

The chair laid out HB 442, which had been left pending earlier in the hearing. Senator Paxton moved that HB 442 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 511. A public hearing and public testimony had already been taken on its pending companion, SB 685. Therefore, Senator Paxton moved that HB 511 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Paxton assumed the chair.

The chair laid out HB 567, which had been left pending earlier in the hearing. Senator Nichols moved that HB 567 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Nichols moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Nichols resumed the chair.

The chair laid out HB 625, which had been left pending earlier in the hearing. Senator Paxton moved that HB 625 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1347, which had been left pending earlier in the hearing. Senator Paxton moved that HB 1347 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1534, which had been left pending earlier in the hearing. Senator Paxton moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was

so ordered. Senator Paxton moved that HB 1534 do not pass but that CSHB 1534 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2536, which had been left pending earlier in the hearing. Senator Paxton moved that HB 2536 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3031, which had been left pending earlier in the hearing. Senator Ellis moved that HB 3031 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis, Senator Hancock, and Senator Watson requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Ellis moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 120. Senator Campbell moved that HB 120 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Campbell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 938. Senator Paxton moved that HB 938 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Hancock requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1238. Senator Paxton moved that HB 1238 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Hancock requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Paxton assumed the chair.

The chair laid out as a matter of pending business HB 695. Senator Nichols moved that HB 695 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Hancock requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Nichols moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 338. Senator Nichols moved to pull down a committee substitute sent up at a previous hearing; without objection, it was so ordered. Senator Nichols sent up a new committee substitute. Senator Nichols moved adoption of the new committee substitute; without objection, it was so ordered. Senator Nichols moved that HB 338 do not pass but that CSHB 338 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Hancock requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Nichols moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Nichols resumed the chair.

There being no further business, at 9:12 AM Senator Nichols moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Robert Nichols, Chair

Amy Jeter, Clerk