

MINUTES

SENATE COMMITTEE ON TRANSPORTATION

Friday, May 17, 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 Friday, May 17, 2013, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator Robert Nichols, Chair
Senator Donna Campbell
Senator Wendy Davis
Senator Rodney Ellis
Senator Kelly Hancock
Senator Dan Patrick
Senator Carlos Uresti
Senator Kirk Watson

MEMBERS ABSENT:

Senator Ken Paxton, Vice Chair

The chair called the meeting to order at 8:02 AM. The following business was transacted:

The chair laid out HB 1573 and recognized the Senate sponsor, Senator Van de Putte, to explain the bill. Senator Campbell sent up a committee substitute; the chair recognized Senator Van de Putte 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 1573 and its proposed committee substitute be left pending; without objection, it was so ordered.

The chair laid out HB 2612 and recognized the Senate sponsor, Senator Deuell, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair

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moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 2612 be left pending; without objection, it was so ordered.

The roll was called, and a quorum was established.

The chair laid out HB 438 and recognized the Senate sponsor, Senator Ellis, to explain the bill. The chair opened the floor for public testimony. There being none, the chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 438 be left pending; without objection, it was so ordered.

The chair laid out HB 2690 and recognized the Senate sponsor, Senator Ellis, to explain the bill. Senator Ellis sent up a committee substitute; the chair recognized Senator Ellis 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 2690 and its proposed committee substitute be left pending; without objection, it was so ordered.

The chair laid out HB 2204 and recognized the Senate sponsor, Senator Watson, to explain the bill. Senator Watson sent up a committee substitute; the chair recognized Senator Watson 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 2204 and its proposed committee substitute be left pending; without objection, it was so ordered.

The chair laid out HB 3125 and recognized Senator Watson, 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 3125 be left pending; without objection, it was so ordered.

The chair laid out HB 3126 and recognized Senator Watson, 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 3126 be left pending; without objection, it was so ordered.

The chair laid out HB 714 and recognized Senator Campbell, 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 714 be left pending; without objection, it was so ordered.

The chair laid out HB 2424 and recognized Senator Hancock, in the absence of the Senate sponsor, to explain the bill. The chair opened the floor for public testimony. There being none, the chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 2424 be left pending; without objection, it was so ordered.

The chair laid out HB 2648 and recognized Senator Hancock, in the absence of the Senate sponsor, to explain the bill. The chair opened the floor for public testimony. There being none, the chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 2648 be left pending; without objection, it was so ordered.

The chair laid out HB 3471 and recognized Senator Hancock, in the absence of the Senate sponsor, to explain the bill. The chair opened the floor for public testimony. There being none, the chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3471 be left pending; without objection, it was so ordered.

The chair laid out HB 3831 and recognized Senator Hancock, in the absence of the Senate sponsor, to explain the bill. The chair opened the floor for public testimony. There being none, the chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3831 be left pending; without objection, it was so ordered.

The chair laid out HB 3520 and recognized Senator Campbell, in the absence of the Senate sponsor, to explain the bill. Senator Campbell sent up a committee substitute; the chair recognized Senator Campbell 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 3520 and its proposed committee substitute be left pending; without objection, it was so ordered.

The chair laid out HB 3838 and recognized Senator Campbell, in the absence of the Senate sponsor, to explain the bill. Senator Campbell sent up a committee substitute; the chair recognized Senator Campbell 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 3838 and its proposed committee substitute be left pending; without objection, it was so ordered.

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

At 9:31 AM Senator Nichols called the Committee back to order.

The chair laid out HB 438, which had been left pending earlier in the hearing. Senator Watson moved that HB 438 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 Ellis, Senator Hancock, and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 714, which had been left pending earlier in the hearing. Senator Campbell moved that HB 714 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 Ellis, Senator Hancock, and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1573, which had been left pending earlier in the hearing. Senator Campbell moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was so ordered. Senator Campbell moved that HB 1573 do not pass but that CSHB 1573 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 1 nay, 0 present not voting, and 2 absent. Senator Ellis requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Hancock requested unanimous consent to be shown voting nay; without objection, it was so ordered.

The chair laid out HB 2204, which had been left pending earlier in the hearing. Senator Watson moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was so ordered. Senator Watson moved that HB 2204 do not pass but that CSHB 2204 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 Ellis, Senator

Hancock, and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2424, which had been left pending earlier in the hearing. Senator Campbell moved that HB 2424 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 Ellis, Senator Hancock, and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered. 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 HB 2648, which had been left pending earlier in the hearing. Senator Campbell moved that HB 2648 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 Ellis, Senator Hancock, and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered.

The chair laid out HB 2690, which had been left pending earlier in the hearing. Senator Watson moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was so ordered. Senator Watson moved that HB 2690 do not pass but that CSHB 2690 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 Ellis, Senator Hancock, and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered.

The chair laid out HB 3125, which had been left pending earlier in the hearing. Senator Uresti moved that HB 3125 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 Ellis, Senator Hancock, and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Uresti moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3126, which had been left pending earlier in the hearing. Senator Davis moved that HB 3126 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 1 nay, 0 present not voting, and 2 absent. Senator Ellis requested unanimous consent to be shown voting aye; without objection,

it was so ordered. Senator Hancock requested unanimous consent to be shown voting nay; without objection, it was so ordered.

The chair laid out HB 3471, which had been left pending earlier in the hearing. Senator Uresti moved that HB 3471 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, 1 nay, 0 present not voting, and 1 absent. Senator Ellis and Senator Hancock requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Patrick requested unanimous consent to be shown voting nay; without objection, it was so ordered.

The chair laid out HB 3520, which had been left pending earlier in the hearing. Senator Campbell moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was so ordered. Senator Campbell moved that HB 3520 do not pass but that CSHB 3520 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 Ellis, Senator Hancock, and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered. 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 HB 3831, which had been left pending earlier in the hearing. Senator Watson moved that HB 3831 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 Ellis, Senator Hancock, and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3838, which had been left pending earlier in the hearing. Senator Watson moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was so ordered. Senator Watson moved that HB 3838 do not pass but that CSHB 3838 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 Ellis and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Hancock moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

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The chair laid out as a matter of pending business HB 1044. Senator Hancock moved that HB 1044 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 Ellis and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Hancock moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2612, which had been left pending earlier in the hearing. Senator Watson moved that HB 2612 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 Ellis and Senator Patrick requested unanimous consent to be shown voting aye; without objection, it was so ordered.

There being no further business, at 9:46 AM Senator Nichols moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Robert Nichols, Chair

Amy Jeter, Clerk