

By: Howard

H.B. No. 1432

A BILL TO BE ENTITLED

AN ACT

relating to optional fees on registration of vehicles in certain counties to fund transportation projects; authorizing a fee.

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

SECTION 1. Section 502.402(a), Transportation Code, as amended by Chapters 1273 (H.B. 1198) and 1277 (H.B. 1573), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to read as follows:

(a) This section applies only to:

(1) a county that:

(A) borders the United Mexican States; and

(B) has a population of more than 250,000; and

(2) a county that has a population of more than 1.5 million that is coterminous with a regional mobility authority.

SECTION 2. Subchapter H, Chapter 502, Transportation Code, is amended by adding Section 502.406 to read as follows:

Sec. 502.406. OPTIONAL COUNTY FEE FOR PROJECTS OF REGIONAL MOBILITY AUTHORITIES. (a) This section applies only to the most populous county that is part of a regional mobility authority created under Chapter 370 with at least two counties, at least one of which has a population of more than one million.

(b) The commissioners court of a county by order may impose an additional fee for a vehicle registered in the county. Except as provided by Subsection (c), the fee may not exceed \$10.

1 (c) The commissioners court of a county may increase the
2 additional fee to \$20 adjusted annually to reflect the percentage
3 change during the preceding year in the construction cost index if
4 approved by a majority of the qualified voters of the county voting
5 on the issue at a referendum election, which the commissioners
6 court may order and hold for that purpose. The ballot language must
7 clearly state that the fee will increase annually in accordance
8 with the construction cost index. For purposes of this subsection,
9 the "construction cost index" means the most recent construction
10 cost index published by Engineering News-Record as a measure of
11 inflation or, if the construction cost index is not published,
12 another similar index chosen by the commissioners court.

13 (d) A vehicle that may be registered under this chapter
14 without payment of a registration fee may be registered under this
15 section without payment of the additional fee.

16 (e) A fee imposed under this section may take effect and be
17 removed in accordance with the requirements of Section [502.401](#).

18 (f) The additional fee shall be collected for a vehicle when
19 other fees imposed under this chapter are collected. The fee
20 revenue collected shall be sent to the regional mobility authority
21 in which the county is located to fund transportation projects that
22 are consistent with the purposes specified by Section [7-a](#), Article
23 VIII, Texas Constitution. Notwithstanding Section [370.251\(i\)](#),
24 before a county may impose a fee under this section, a regional
25 mobility authority which is to receive fees from a county pursuant
26 to this section must enter into an agreement with the county that
27 identifies, or provides a process for identifying, transportation

1 projects which will be funded by fee revenue. The agreement must be
2 approved by the county commissioners court, the board of directors
3 of the regional mobility authority, and a majority of the board
4 members of the regional mobility authority who were appointed by
5 the county which adopted or approved the fee.

6 (g) Additional fees adopted by a county pursuant to this
7 section may only be used by the regional mobility authority for
8 projects located in the unincorporated and incorporated portions of
9 the county that adopted the fee, unless, in the agreement required
10 by Subsection (f), the county commissioners court and the regional
11 mobility authority make findings that:

12 (1) a project located wholly or partly within another
13 county will improve the safety and mobility of residents located
14 within the county that adopted the fee; and

15 (2) the development of the transportation project will
16 serve a public purpose.

17 (h) The department shall adopt rules necessary to
18 administer registration for a vehicle being registered in a county
19 imposing a fee under this section.

20 SECTION 3. This Act takes effect September 1, 2015.