

BILL ANALYSIS

C.S.H.B. 3469
By: Wilson
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the absence of a funding mechanism for roadway repair and maintenance that proportionally assesses the amount of damage done to Texas roads. C.S.H.B. 3469 seeks to address these concerns by providing for a study on the feasibility of charging a pavement consumption fee in the amount of the reasonable cost to repair damage to the pavement of a highway caused by the normal operation of certain vehicles.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3469 amends the Transportation Code to require the Texas Department of Transportation (TxDOT), in consultation with The University of Texas Center for Transportation Research and the Texas A&M Transportation Institute, to conduct a study on the feasibility of:

- charging a pavement consumption fee in the amount of the reasonable cost to repair damage to the pavement of a highway caused by the normal operation of certain vehicles subject to federal electronic logging device requirements; and
- adjusting or eliminating registration or permit fees that are wholly or partly used for the maintenance of a highway by a governmental entity and imposed on commercial motor vehicles subject to the pavement consumption fee.

The bill sets out requirements for TxDOT in conducting the study and requires TxDOT, not later than November 1, 2020, to submit a written report on the findings of the study to the governor, the lieutenant governor, and the legislature, which must include recommendations for policy and statutory changes, including any proposed legislation, that are based on the results of the study. The bill's provisions expire May 1, 2020.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3469 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee

substitute versions of the bill.

The substitute does not include provisions relating to the imposition, collection, and distribution of a pavement consumption fee for certain vehicles subject to federal electronic logging device requirements and to the installation of an electronic logging device.

The substitute includes provisions relating to a study to determine the feasibility of charging a pavement consumption fee.