

SENATE AMENDMENTS

2nd Printing

By: Thompson of Brazoria

H.B. No. 3388

A BILL TO BE ENTITLED

AN ACT

relating to information regarding state agency vehicle fleets.

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

SECTION 1. The heading to Section 2171.101, Government Code, is amended to read as follows:

Sec. 2171.101. VEHICLE REPORTING SYSTEM; EXCEPTION.

SECTION 2. Section 2171.101, Government Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) The office of vehicle fleet management shall establish a vehicle reporting system to assist ~~each~~ state agencies ~~[agency]~~ in the management of agency ~~[its]~~ vehicle fleets ~~[fleet]~~. Except as provided by Subsection (d), a [A] state agency shall ~~[be required to]~~ submit vehicle fleet ~~[the]~~ reports on a quarterly basis, not earlier than the 45th day or later than the 60th day after the date on which the quarter ends.

(d) A state agency with a fleet of more than 2,500 vehicles shall establish and maintain a vehicle reporting system to assist the agency in the management of the agency's vehicle fleet. Not later than October 15 of each year, the agency shall submit to the office of vehicle fleet management the information the office requests regarding the agency's vehicle fleet for the previous state fiscal year. The agency may provide the information in the format used by the agency's reporting system. The agency is exempt

1 from paying to the office any fee for maintaining the vehicle
2 reporting system established under Subsection (a).

3 SECTION 3. Each state agency subject to Section
4 2171.101(d), Government Code, as added by this Act, shall:

5 (1) establish a vehicle reporting system for the
6 agency's vehicle fleet not later than October 1, 2021; and

7 (2) submit the report required by that subsection to
8 the office of vehicle fleet management not later than October 15,
9 2021, or a later date determined by the office.

10 SECTION 4. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2021.

ADOPTED
VV
MAY 26 2021

Lately
Secretary of the Senate
BY: *White*

FLOOR AMENDMENT NO. 1

1 Amend H.B. No. 3388 by adding the following
2 appropriately numbered SECTION to the bill and renumbering the
3 SECTIONS of the bill accordingly:

4 SECTION ____ Section 2205.036(c), Government Code, is
5 amended to read as follows:

6 (c) The department may not provide aircraft transportation
7 to a destination unless:

8 (1) the destination is not served by a commercial
9 carrier;

10 (2) the aircraft transportation is the most
11 cost-effective travel arrangement in accordance with Section
12 660.007(a);

13 (3) the time required to use a commercial carrier
14 interferes with passenger obligations;

15 (4) a representative of the Department of Public
16 Safety determines that security concerns for a passenger warrant
17 the use of a state aircraft;

18 (5) the number of passengers traveling makes the use
19 of a state aircraft cost-effective; or

20 (6) [~~4~~] emergency circumstances necessitate the use
21 of a state aircraft.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 27, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3388 by Thompson, Ed (Relating to information regarding state agency vehicle fleets.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 2171 of the Government Code to require a state agency with a fleet of more than 2,500 vehicles to establish and maintain a vehicle reporting system. The agency would be exempt from paying any fees to the Comptroller's Office of Vehicle Fleet Management (OVFM) for maintenance of the reporting system. Agencies exempt from paying the fee would continue to be required to submit, no later than October 15th of each year, the information requested by OVFM regarding the agency's vehicle fleet for the previous state fiscal year.

The bill would also amend Section 2205.036, Government Code, regarding conditions under which the Texas Department of Transportation (TxDOT) may provide aircraft transportation to a destination, to allow TxDOT to provide aircraft transportation when the time required to use a commercial carrier interferes with passenger obligations or when a representative of the Department of Public Safety determines that security concerns for a passenger warrant the use of a state aircraft.

It is assumed that any costs associated with implementing the provisions of the bill regarding vehicle fleet information could be absorbed within existing resources. Currently, there are four agencies that maintain a vehicle fleet of more than 2,500 vehicles, including the Department of Criminal Justice (TDCJ), DPS, TxDOT, and Parks and Wildlife Department (TPWD). TxDOT and TPWD indicated that they currently have a fleet management system that would provide the necessary information to comply with reporting requirements. It is assumed that DPS and TDCJ also currently have a fleet management system in place to comply with any reporting requirements, since the agencies did not indicate any costs associated with implementing a new system. According to the Comptroller, the four agencies pay a combined \$90,000 in yearly fees to maintain the OVFM reporting system. The Comptroller indicates that the reduction of fees from the four agencies that would be exempt could increase fees to other agencies. The fees would be collected as Interagency Contracts.

Based on the information provided by TxDOT, it is assumed implementation of the provisions of the bill regarding passenger transportation on state aircraft could be accomplished within existing resources, and any costs for increased use of TxDOT aircraft transportation services would be offset by rates charged by TxDOT for interagency aircraft services as required by Section 2205.040, Government Code.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601 Department of Transportation, 696 Department of Criminal Justice, 802 Parks and Wildlife Department

LBB Staff: JMc, CMA, SZ, MBO, SMAT, LCO

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 18, 2021

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3388 by Thompson, Ed (Relating to information regarding state agency vehicle fleets.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 2171 of the Government Code to require a state agency with a fleet of more than 2,500 vehicles to establish and maintain a vehicle reporting system. The agency would be exempt from paying any fees to the Comptroller's Office of Vehicle Fleet Management (OVFM) for maintenance of the reporting system. Agencies exempt from paying the fee would continue to be required to submit, no later than October 15th of each year, the information requested by OVFM regarding the agency's vehicle fleet for the previous state fiscal year.

It is assumed that any costs associated with implementing the provisions of the bill could be absorbed within existing resources. Currently, there are four agencies that maintain a vehicle fleet of more than 2,500 vehicles, including the Department of Criminal Justice (TDCJ), Department of Public Safety (DPS), Department of Transportation (TxDOT), and Parks and Wildlife Department (TPWD). TxDOT and TPWD indicated that they currently have a fleet management system that would provide the necessary information to comply with reporting requirements. It is assumed that DPS and TDCJ also currently have a fleet management system in place to comply with any reporting requirements, since the agencies did not indicate any costs associated with implementing a new system. According to the Comptroller, the four agencies pay a combined \$90,000 in yearly fees to maintain the OVFM reporting system. The Comptroller indicates that the reduction of fees from the four agencies that would be exempt could increase fees to other agencies. The fees would be collected as Interagency Contracts.

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LBB Staff: JMc, SZ, MBO, SMAT, LCO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 19, 2021

TO: Honorable Chris Paddie, Chair, House Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3388 by Thompson, Ed (Relating to information regarding state agency vehicle fleets.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 2171 of the Government Code to require a state agency with a fleet of more than 2,500 vehicles to establish and maintain a vehicle reporting system. The agency would be exempt from paying any fees to the Comptroller's Office of Vehicle Fleet Management (OVFM) for maintenance of the reporting system. Agencies exempt from paying the fee would continue to be required to submit, no later than October 15th of each year, the information requested by OVFM regarding the agency's vehicle fleet for the previous state fiscal year.

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