

Chapter 154

H.B. No. 1793

AN ACT

relating to the inspection of certain commercial motor vehicles that are not domiciled in this state.

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

SECTION 1. Section 548.203, Transportation Code, is amended to read as follows:

Sec. 548.203. EXEMPTIONS. (a) The commission by rule may exempt a type of commercial motor vehicle from the application of this subchapter if the vehicle:

(1) was manufactured before September 1, 1995;

(2) is operated only temporarily on a highway of this state and at a speed of less than 30 miles per hour; and

(3) complies with Section 548.051 and each applicable provision in Title 49, Code of Federal Regulations.

(b) Notwithstanding Subchapter B, a commercial motor vehicle is not subject to the inspection requirements of this chapter if the vehicle:

(1) is not domiciled in this state;

(2) is registered in this state or under the International Registration Plan as authorized by Section 502.091; and

(3) has been issued a certificate of inspection in compliance with federal motor carrier safety regulations.

(c) A commercial motor vehicle described by Subsection (b)

1 is subject to any fees established by this code that would apply to
2 the vehicle if the vehicle were subject to the inspection
3 requirements of this chapter, including a fee under Section 548.504
4 or 548.5055.

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2017.

Don Petri
President of the Senate

Joe Straus
Speaker of the House

I certify that H.B. No. 1793 was passed by the House on May 3, 2017, by the following vote: Yeas 147, Nays 0, 1 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 1793 was passed by the Senate on May 12, 2017, by the following vote: Yeas 31, Nays 0.

Patsy Spaw
Secretary of the Senate

APPROVED: 5-26-2017
Date

Greg Abbott
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
7 PM O'CLOCK
MAY 26 2017
[Signature]
Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 6, 2017

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1793 by Pickett (Relating to the inspection of certain commercial motor vehicles that are not domiciled in this state.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to exempt certain commercial vehicles from required annual safety inspections. Specifically, the bill would exempt from annual safety inspections a vehicle not domiciled in the state, provided the vehicle is registered in the state, and has been issued a certificate of inspection in compliance with federal motor carrier safety regulations. The bill would also exempt from annual safety inspections a vehicle registered in the International Registration Plan, and a vehicle that has been issued a certificate of inspection in compliance with federal motor carrier safety regulations. The bill would require a commercial motor vehicle exempted from safety inspections to pay the same safety inspection fees required by commercial vehicles not exempted from safety inspections by the bill.

Based on the information provided by the Department of Motor Vehicles, it is assumed the agency could absorb any costs associated with implementing the provisions of the bill within existing resources.

The bill would take effect immediately upon a two-thirds vote of all members of both chambers. Otherwise, the bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 601 Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, JAW, AG, AI, TG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 18, 2017

TO: Honorable Geanie W. Morrison, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1793 by Pickett (Relating to the inspection of certain commercial motor vehicles that are not domiciled in this state.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to exempt certain commercial vehicles from required annual safety inspections. Specifically, the bill would exempt from annual safety inspections a vehicle not domiciled in the state, provided the vehicle is registered in the state, and has been issued a certificate of inspection in compliance with federal motor carrier safety regulations. The bill would also exempt from annual safety inspections a vehicle registered in the International Registration Plan, and a vehicle that has been issued a certificate of inspection in compliance with federal motor carrier safety regulations. The bill would require a commercial motor vehicle exempted from safety inspections to pay the same safety inspection fees required by commercial vehicles not exempted from safety inspections by the bill.

Based on the information provided by the Department of Motor Vehicles, it is assumed the agency could absorb any costs associated with implementing the provisions of the bill within existing resources.

The bill would take effect immediately upon a two-thirds vote of all members of both chambers. Otherwise, the bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 601 Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, JAW, AG, AI, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 29, 2017

TO: Honorable Geanie W. Morrison, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1793** by Pickett (Relating to the inspection of certain commercial motor vehicles that are not domiciled in this state.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1793, As Introduced: a negative impact of (\$860,000) through the biennium ending August 31, 2019. A negative impact to the Texas Mobility Fund and the Texas Emissions Reduction Plan of (\$4,300,000) each through the biennium ending August 31, 2019 is also assumed.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	(\$430,000)
2019	(\$430,000)
2020	(\$430,000)
2021	(\$430,000)
2022	(\$430,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from <i>Texas Mobility Fund</i> 365	Probable Revenue (Loss) from <i>Texas Emissions Reduction Plan</i> 5071	Probable Revenue (Loss) from <i>General Revenue Fund</i> 1
2018	(\$2,150,000)	(\$2,150,000)	(\$430,000)
2019	(\$2,150,000)	(\$2,150,000)	(\$430,000)
2020	(\$2,150,000)	(\$2,150,000)	(\$430,000)
2021	(\$2,150,000)	(\$2,150,000)	(\$430,000)
2022	(\$2,150,000)	(\$2,150,000)	(\$430,000)

Fiscal Analysis

The bill would amend the Transportation Code to exempt certain commercial vehicles from required annual safety inspections. Specifically, the bill would exempt from annual safety inspections a vehicle not domiciled in the state, provided the vehicle is registered in the state, and has been issued a certificate of inspection in compliance with federal motor carrier safety regulations. The bill would also exempt from annual safety inspections a vehicle registered in the International Registration Plan, and a vehicle that has been issued a certificate of inspection in compliance with federal motor carrier safety regulations.

It is assumed any costs associated with implementing the bill could be absorbed within current resources. However, the bill is estimated to have negative revenue implications to the General Revenue Fund, Texas Mobility Fund, and the Texas Emissions Reduction Plan.

Note: The bill would reduce, rescind, or repeal the dedication of a specific source or portion of revenue dedicated to the Texas Mobility Fund. Article 3, Section 49-k, of the Texas Constitution, specifies that while money in the Texas Mobility Fund is pledged for the payment of any outstanding debt obligations, the Legislature may not reduce, rescind, or repeal the dedication of a specific source or portion of revenue dedicated to the Texas Mobility Fund unless the Legislature by law dedicates a substitute or different source of revenue that is projected by the Comptroller to be of a value equal to or greater than the source or amount being reduced, rescinded, or repealed.

The bill would take effect immediately upon a two-thirds vote of all members of both chambers. Otherwise, the bill would take effect September 1, 2017.

Based on the information provided by DMV, it is assumed the agency could absorb any costs associated with implementing the provisions of the bill within existing resources.

Methodology

The Department of Motor Vehicles estimates the bill could result in a 215,000 decrease to the number of commercial vehicle safety inspections conducted each year. Since portions of commercial vehicle safety inspection fees are dedicated to the General Revenue Fund, Texas Mobility Fund, and Texas Emissions Reduction Plan, it is assumed the bill would have a corresponding negative revenue impact on these funds.

Revenue Impact to the General Revenue Fund - \$2 of each commercial vehicle safety inspection fee is dedicated to the General Revenue Fund as a Texas.gov fee. This fiscal note assumes a decrease in fiscal year 2018 and in each fiscal year thereafter of 215,000 safety inspections, resulting in an estimated \$430,000 revenue decrease to the General Revenue Fund (\$2 x 215,000).

Revenue Impact to the Texas Mobility Fund - \$10 of each commercial vehicle safety inspection fee is dedicated to the Texas Mobility Fund. This fiscal note assumes a decrease in fiscal year 2018 and in each fiscal year thereafter of 215,000 safety inspections, resulting in an estimated \$2,150,000 revenue decrease to the Texas Mobility Fund (\$2 x 215,000).

Revenue Impact to the Texas Emissions Reduction Plan- \$10 of each commercial vehicle safety inspection fee is dedicated to the Texas Emission Reduction Plan. This fiscal note assumes a decrease in fiscal year 2018 and in each fiscal year thereafter of 215,000 safety inspections, resulting in an estimated \$2,150,000 revenue decrease to the Texas Emissions Reduction Plan (\$2 x 215,000).

In addition, the Department of Motor Vehicles notes that up to 750,000 commercial vehicles registered at the county level could be exempted from the commercial vehicle safety inspection requirement, should those vehicles be awarded a certificate of inspection in compliance with federal motor carrier safety regulations. Because it is unknown how many of the 750,000 would secure this certificate of inspection, the revenue impact is unknown, but presumed potentially to be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 601 Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, AG, AI, JAW, TG