

**BILL ANALYSIS**

C.S.H.B. 2276  
By: Martinez, "Mando"  
Transportation  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

Interested parties contend that the cap on the fee for a permit issued for the movement of an oversize or overweight vehicle carrying cargo in Hidalgo County is too low considering the effort required by the regional mobility authority to issue those permits and maintain the permit registration system. C.S.H.B. 2276 seeks to raise that cap.

**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. 2276 amends the Transportation Code to raise the cap on the fee for a permit issued for the movement of oversize or overweight vehicles carrying cargo in Hidalgo County from \$80 to \$200. The bill lowers from 15 percent to 10 percent the cap on the amount of those fees required to be used for the construction and maintenance of the roads to which the permit applies and for a regional mobility authority's administrative costs relating to the issuance of such a permit. The bill requires an amount not to exceed five percent of the collected permit fees to be used to leverage funding from other sources to construct a bridge on Farm-to-Market Road 1015 in Hidalgo County between Military Highway and Mile 5 Road North, to improve the roads to which such a permit applies that are in Weslaco or Progreso, to improve Mile 5 Road North in Hidalgo County, and to support the construction of roads proposed by the City of Donna connecting a proposed commercial import lot near the Donna-Rio Bravo International Bridge to Farm-to-Market Road 493 and Military Highway.

**EFFECTIVE DATE**

September 1, 2017.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2276 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

85R 27499

17.121.695

Substitute Document Number: 85R 13822

SECTION 1. Section 623.364(a), Transportation Code, is amended to read as follows:

(a) The authority may collect a fee for permits issued under this subchapter. Beginning September 1, 2017 [~~2013~~], the maximum amount of the fee may not exceed \$200 [~~\$80~~] per trip. On September 1 of each subsequent year, the authority may adjust the maximum fee amount as necessary to reflect the percentage change during the preceding year in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, published monthly by the United States Bureau of Labor Statistics or its successor in function.

SECTION 1. Section 623.364, Transportation Code, is amended to read as follows:

Sec. 623.364. PERMIT FEES. (a) The authority may collect a fee for permits issued under this subchapter. Beginning September 1, 2017 [~~2013~~], the maximum amount of the fee may not exceed \$200 [~~\$80~~] per trip. On September 1 of each subsequent year, the authority may adjust the maximum fee amount as necessary to reflect the percentage change during the preceding year in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, published monthly by the United States Bureau of Labor Statistics or its successor in function.

(b) Except as provided by Subsection (c), fees [Fees] collected under Subsection (a) shall be used only for the construction and maintenance of the roads described by or designated under Section 623.363 and for the authority's administrative costs, which may not exceed 10 [~~15~~] percent of the fees collected. The authority shall make payments to the Texas Department of Transportation to provide funds for the maintenance of roads and highways subject to this subchapter.

(c) Fees collected under Subsection (a) must be used in an amount not to exceed five percent of the fees collected to leverage funding from other sources to:

(1) construct a bridge on Farm-to-Market Road 1015 in Hidalgo County between Military Highway and Mile 5 Road North;

(2) improve the roads described by Section 623.363 that are in Weslaco or Progreso;

(3) improve Mile 5 Road North in Hidalgo County; and

(4) support the construction of roads proposed by the City of Donna connecting a proposed commercial import lot near the Donna-Rio Bravo International Bridge to Farm-to-Market Road 493 and Military Highway.

SECTION 2. This Act takes effect September 1, 2017.

SECTION 2. Same as introduced version.