

SUBJECT: Optional fee on vehicle registration to fund pedestrian and bicycle safety

COMMITTEE: County Affairs — committee substitute recommended

VOTE: 5 ayes — W. Smith, Bolton, Farabee, Harless, Leibowitz

0 nays

4 absent — Naishtat, Coleman, Heflin, T. Smith

WITNESSES: For — Leilah Powell, Bexar County Commissioners Court; (*Registered, but did not testify*: Ben Herr, Texas Transit Association)

Against — None

DIGEST: CSHB 3962 would allow a commissioners court to impose a pedestrian and bicycle safety vehicle registration fee not to exceed \$10 beginning on January 1 of any given year. The bill would allow a county to use pedestrian and bicycle safety fee revenues to:

- acquire rights of way;
- construct and maintain bicycle lanes, sidewalks, and other pedestrian facilities that enhance pedestrian and bicycle safety on the county's public roadways; and
- fund facilities that improve access to public transportation if they were a part of the county's public roadways.

The bill would require a commissioners court that intended to impose the fee to notify the Texas Department of Transportation (TxDOT) no later than September 1 of the preceding year. In addition, the bill would allow the commissioners court to remove the fee starting on January 1 of a year by rescinding the order imposing the fee and notifying TxDOT no later than September 1 of the preceding year.

This bill would require the pedestrian and bicycle safety fee to be collected by the county tax assessor-collector. For vehicles that had to be registered with TxDOT, this bill would require TxDOT to send the fees collected to that county in care of the county official performing the duties of treasurer. The bill would authorize TxDOT to adopt rules and develop forms necessary to administer registration by mail. Vehicle owners who

were not required to pay a vehicle registration fee would not have to pay the pedestrian and bicycle safety fee.

This bill would require a county imposing a pedestrian and bicycle safety fee to consult with governmental public transportation providers within the county regarding the use of the fee revenues.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

**SUPPORTERS  
SAY:**

CSHB 3962 would create a dedicated source of revenue to support pedestrian and bicycle projects. Currently, there is no dependable source of funding available in the state. According to the Surface Transportation Policy Project, walking is the most dangerous mode of travel in terms of fatalities experienced per mile. Across Texas, 2,382 pedestrians and bicyclists were killed between 2001 and 2005 alone. Many children walk to school along streets with no sidewalks, and individuals using wheelchairs are also forced into the streets when sidewalks are absent or in impassable condition. Transit users face similar difficulties accessing bus stops. This bill would support the pedestrian and bicycle safety improvements needed to make communities safer while also encouraging public transit connectivity.

**OPPONENTS  
SAY:**

Increased fees could present a financial hardship to drivers. Many drivers put off annual registration and vehicle inspection because of the associated costs, and this would simply add to that burden. In addition, funds generated by this fee would not support drivers, but would instead support pedestrians, bicyclists, and those using public transportation. Instead of further taxing motorists, this cost should be borne by those who more directly would benefit from these bicycle and pedestrian facilities.

**NOTES:**

The Legislative Budget Board estimates that there would be no significant fiscal impact to the state. At the county level, fiscal impact would vary. For example, El Paso County estimates that it would impose a fee of \$7.50 for the 552,750 vehicles registered in the county, for a first-year revenue gain of \$4.1 million.