

BILL ANALYSIS

Senate Research Center

H.B. 1235
By: Driver (Averitt)
Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current federal law, commercial motor vehicle drivers are required to take periodic rest breaks. When a driver is in the sleeper berth of a truck, powering the air conditioner or heater might require the engine to be left idling. Current state law prohibits the Texas Commission on Environmental Quality (TCEQ) from prohibiting or limiting idling when it is necessary to power a heater or air conditioner during a government-mandated rest period. However, this state law expires on September 1, 2007.

H.B. 1235 extends current law to September 1, 2009, that prohibits TCEQ from prohibiting or limiting idling when it is necessary to power a heater or air conditioner during a government-mandated rest period.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 382.0191(b), (c), and (d), Health and Safety Code, as follows:

(b) Provides that idling is not necessary to power a heater or air conditioner if the vehicle is within two miles of a facility offering external heating and air conditioning connections at a time when those connections are available.

(c) Prohibits drivers using the vehicle's sleeper berth from idling the vehicle in a residential area as defined by Section 244.001 (Definitions), Local Government Code, or within 1,000 feet of a hospital, among other prohibited areas.

(d) Provides that this section expires September 1, 2009, rather than 2007.

SECTION 2. Effective date: upon passage or September 1, 2007.