

BILL ANALYSIS

Senate Research Center
82R8707 JAM-D

H.B. 1906
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Natural Resources
5/5/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties observe that state regulatory law provides for local enforcement of heavy-duty idling limitations in any city or county that enters into a memorandum of agreement for that purpose with the Texas Commission on Environmental Quality. Critics of this arrangement observe that the state's heavy-duty idling regulations does not provided an adequate enforcement mechanism for county governments.

H.B. 1906 seeks to establish a reasonable penalty for locally enforce heavy-duty vehicle idling violations in unincorporated areas to foster more efficient enforcement, thereby reducing ozone-forming emission, improving air quality, and benefiting the citizens of Texas

H.B. 1906 amends current law relating to the idling of motor vehicles and provides a criminal penalty.

[**Note:** While statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality, as the successor commission to TNRCC.]

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 Subchapter E, Chapter 7, Water Code, by adding Section 7.1831, as follows:

Sec. 7.1831. VIOLATION OF LOCALLY ENFORCED MOTOR VEHICLE IDLING LIMITATIONS. (a) Provides that a person commits an offense if the person violates a rule adopted by the Texas Natural Resource Conservation Commission concerning locally enforced motor vehicle idling limitations.

(b) Provides that, notwithstanding any other law, an offense under this section is a Class C misdemeanor.

SECTION 2. Makes application of this Act prospective

SECTION 3. Effective date: September 1, 2011.