

SUBJECT: Requiring students with out-of-state vehicles to have inspection sticker

COMMITTEE: Public Safety — committee substitute recommended

VOTE: 6 ayes — B. Turner, Berman, Gutierrez, Isett, P. King, Villarreal

0 nays

3 absent — Keel, Driver, Hupp

WITNESSES: None

BACKGROUND: Under Transportation Code, sec. 548.301, a person who lives in an area that has not attained federal air-quality standards (nonattainment area) must have an emissions inspection performed as part of a normal vehicle inspection.

DIGEST: CSHB 2787 would forbid a public higher education institution located in a nonattainment area from issuing a permit for driving or parking on campus to a student whose vehicle was registered in another state unless the vehicle displayed a current inspection sticker indicating that the vehicle had passed the required emissions inspection. The institution could provide a reasonable grace period for a new or returning student or for a student who acquired a vehicle to comply with this requirement. The bill would not apply to a vehicle of a type not covered by the emissions-testing requirement applicable to the area in which the campus was located.

A public higher education institution not located in an area where emissions inspections were required could not issue a driving or parking permit to a student unless the institution had notified the student in writing that failure to register the vehicle or display a current inspection sticker could violate state law if the vehicle's owner lived in Texas.

The bill would require the Public Safety Commission to adopt rules for inspecting vehicles not registered in Texas for the purpose of obtaining a campus driving or parking permit.

CSHB 2787 would take effect September 1, 2001, and would not affect the validity of a driving or parking permit issued by an institution before January 1, 2002. The provisions relating to a public higher education institution in a nonattainment area would take effect January 1, 2002.

**SUPPORTERS
SAY:**

CSHB 2787 is necessary to help reduce vehicle-emission pollutants in Texas. With increased pressure from the federal government to comply with clean-air standards, one option for reducing air pollutants is to ensure that out-of-state college students in nonattainment areas comply with state vehicle-inspection laws. The bill also would help ensure that students with out-of-state vehicles in other areas have a valid Texas inspection sticker, as required by law.

According to the bill's fiscal note, it would have a positive fiscal impact on the state, resulting in a net gain in general revenue-related funds of about \$21,000 per year from the sale of emissions-inspection stickers.

**OPPONENTS
SAY:**

CSHB 2787 would create an unfunded mandate by requiring more paperwork for public colleges and universities with no additional funding. Also, it would impose an additional administrative burden on these institutions.

NOTES:

The committee substitute changed the filed version in several ways, including:

- ! focusing the prohibition against issuance of parking or driving permits on higher education institutions in nonattainment areas and on out-of-state vehicles that have not passed emissions inspections;
- ! requiring institutions in other areas to send written notices to students; and
- ! requiring the Public Safety Commission rather than the Department of Public Safety to adopt inspection rules.