

SUBJECT: Exempting certain commercial motor vehicles from state inspection

COMMITTEE: Transportation — committee substitute recommended

VOTE: 13 ayes — Morrison, Martinez, Burkett, Y. Davis, Goldman, Israel, Minjarez, Phillips, Pickett, Simmons, E. Thompson, S. Thompson, Wray

0 nays

WITNESSES: For — John Esparza, Texas Trucking Association; Alan Riddick, TNT Crane and Rigging; (*Registered, but did not testify:* Greg Macksood, Anheuser-Busch; Dan Hinkle, Association of Energy Service Companies; Randy Teakell, AT&T; Robert Turner, Earthmoving Contractors Association of Texas; Martin Hubert, Sysco Corporation; Ronald Hufford, Texas Forestry Association; Michael Nowels, Texas State Inspection Association; Laird Doran, The Friedkin Group, U.S. AutoLogistics)

Against — None

On — (*Registered, but did not testify:* Jimmy Archer, Texas Department of Motor Vehicles; James Bass, Texas Department of Transportation; Pablo Luna and Chris Nordloh, Texas Department of Public Safety)

BACKGROUND: Transportation Code, sec. 548.201 requires a commercial motor vehicle registered in Texas to meet Texas inspection standards. Sec. 502.091 allows the Texas Department of Motor Vehicles to enter into an agreement with another state to register the vehicles of Texas residents.

37 TAC, part 1, chap. 4, subch. C, sec. 4.37 recognizes Washington, D.C. and 19 other states as having inspection programs that meet federal standards equivalent to those required for a Texas-registered commercial vehicle.

DIGEST: CSHB 1793 would exempt a commercial motor vehicle from state inspection requirements if the vehicle:

- was not domiciled in Texas;
- was registered in Texas or under the International Registration Plan; and
- had been issued a certificate of inspection in compliance with federal motor carrier safety regulations.

A vehicle exempted from state inspection requirements still would be required to pay any fees that would apply if the vehicle were subject to the inspection requirements, including a \$50 commercial motor vehicle inspection fee and a \$10 Texas emission reduction plan fee.

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, 2017.

**SUPPORTERS
SAY:**

CSHB 1793 would allow Texas-based companies with trucks primarily located in other states to be exempt from Texas inspection requirements, removing a burden that has imposed a heavy cost on Texas companies. To comply with current law, companies with trucks stationed in many other states must have those trucks driven from all over the country back to Texas, resulting in significant lost time and revenue, as well as fuel, labor, and maintenance costs. While some other states have inspection programs that meet Texas standards, many are located thousands of miles away and do not offer a practical alternative for commercial vehicles domiciled in Oklahoma or Louisiana, for example.

Without this bill, many companies may decide to move their headquarters to other states that do not require state inspections, which would hurt the Texas economy. Many companies want to remain in Texas but the cost of returning trucks each year for inspection is becoming too great.

The bill would not lower safety standards. Trucks still would have to receive inspections that comply with Federal Motor Carrier Safety regulations, which apply in all states. Commercial vehicles inspected in other states still would pay Texas fees, so the bill would not result in a cost to the state.

OPPONENTS
SAY: No apparent opposition.

NOTES: The committee substitute differs from the bill as filed in that CSHB 1793 would require commercial vehicles that were not inspected in Texas to pay any fees that would apply if the vehicle had been inspected here.

A companion bill, SB 1093 by Hancock, was reported favorably as substituted by the Senate Transportation Committee on April 3.