

## **BILL ANALYSIS**

Senate Research Center  
76R6579 WP-F

S.B. 1658  
By: Jackson  
Infrastructure  
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As Filed

### **DIGEST**

Currently, a motor carrier is required to comply with inspection, repair and maintenance regulations; however, a person who dispatches faulty intermodal equipment on the highway is not required to comply with such regulations because the person is not defined as a "motor carrier." Additionally, the Department of Public Safety is not authorized to audit maintenance records or issue traffic citations to individuals at intermodal yards that dispatch unsafe equipment. S.B. 1658 creates regulations and penalties regarding the inspection of intermodal equipment, in order to maintain safety on public highways.

### **PURPOSE**

As proposed, S.B. 1658 creates provisions and penalties regarding the inspection of intermodal equipment.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 644, Transportation Code, by adding Subchapter F, as follows:

#### **SUBCHAPTER F. INTERMODAL EQUIPMENT**

Sec. 644.251. **INSPECTION.** Requires a person who offers certain cargo services (servicer) to inspect, repair, and maintain all intermodal vehicles under that person's control to ensure certain safety aspects.

Sec. 644.252. **RECORDS.** Requires a servicer to maintain a record for each vehicle that provides certain identification and histories, and requires storage of the records where the vehicle is housed for specific lengths of time. Authorizes an officer or employee of the Department of Public Safety to inspect records required by this section.

Sec. 644.253. **CERTIFICATION.** Requires a servicer to provide certification which is in compliance with equipment requirements in 49 C.F.R. Part 393. Sets forth required information in a certification. Requires a certain motor carrier to display certain certification at the request of a certain police officer.

Sec. 644.254. **INTERCHANGE PROHIBITED.** Prohibits a person from taking certain actions in violation of equipment requirements in 49 C.F.R. Part 393.

Sec. 644.255. **CRIMINAL OFFENSE.** Creates a Class C misdemeanor for a criminal offense for the performance of, or failure to, perform certain actions.

Sec. 644.256. **CIVIL AND ADMINISTRATIVE PENALTIES.** Provides that a violator of this chapter is subject to civil and administrative penalties under Sections 644.152 and 644.153, Transportation Code.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.