

## **BILL ANALYSIS**

Senate Research Center

H.B. 2065  
By: Phillips et al. (Hancock)  
Transportation  
7/5/2017  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Certain municipalities and counties are authorized to apply for certification to conduct commercial vehicle inspections and issue citations. Section 644.102, Transportation Code, states that the monies collected from the fines associated with the citations can be retained by the city or county to recover their costs of enforcement. In each fiscal year, a county or municipality can retain fines in an amount not to exceed 110 percent of their actual expenses for enforcement. All fines that exceed this limit are reported to the Texas comptroller of public accounts and deposited to the credit of the Texas Department of Transportation.

H.B. 2065 requires a municipality or county that retains a fine from commercial vehicle inspection enforcement to annually file a report detailing fines retained and any expenses claimed for the enforcement during the previous year. (Original Author's / Sponsor's Statement of Intent)

H.B. 2065 amends current law relating to fines collected by a county or municipality from the enforcement of commercial motor vehicle safety standards.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas comptroller of public accounts in SECTION 1 (Section 644.102, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 644.102, Transportation Code, by adding Subsections (f-1) and (f-2), as follows:

(f-1) Requires a municipality or county that retains a fine from the enforcement of this chapter (Commercial Motor Vehicle Safety Standards) to annually file with the Texas comptroller of public accounts (comptroller) a report that details the amount of fines retained from the enforcement of this chapter and the actual expenses claimed by the municipality or county for the enforcement of this chapter during the previous fiscal year. Requires a municipality or county that fails to file a required report to send to the comptroller for deposit to the credit of the Texas Department of Transportation an amount equal to the amount retained by the municipality or county in the fiscal year the report would cover.

(f-2) Requires the comptroller to adopt rules as necessary to implement and enforce Subsection (f-1).

SECTION 2. Effective date: September 1, 2017.