



2009 Legislative Issues Affecting the Trucking Industry

1. Key TMTA Idling Bill(s) **died** (SB 16/SB 1828/HB 3317)
 - a. Would have extended the idling in sleeper berth until April 2011
 - b. Would have recognized the California Certified “Clean Idle” engines
 - c. Would have allowed for a 400 pound weight exemption for an APU

2. TMTA Margins Tax Bill **died** (HB 4243)
 - a. Would have reduced the tax rate for trucking companies
 - b. Only one Margins Tax bill passed (HB 4765) – Effective January 1, 2010. It raised the minimum from \$300,000 to \$1 million

3. The TxDOT Sunset Bill **died** (HB 300)
 - a. Nearly 400 pages and included some 20-30 bills and the end of the session.
 - b. Would have established an oversize/overweight permit provision to address multiple loads going to the same general area.
 - c. The Senate version of the bill contained a local options tax plan.
 - d. Would have required TxDOT to conduct an oversize/overweight permit study as well as a “vehicle miles traveled tax (VTM) study.

4. The new Department of Motor Vehicles (HB 3097) **passed** – effective September 1, 2009
 - a. Agency run by an executive director selected by a 9 member Board
 - b. Motor Carrier Division – Carrier Registration & Enforcement only – OS/OW permits Section stays with TxDOT
 - c. Motor Vehicle Division – Automobile Dealers
 - d. Vehicle Title & Registration Division – Vehicle Titles & License Plates
 - e. Automobile Burglary and Theft Prevention Authority

5. The new registration fee schedule for vehicles (HB 2553) **passed** - effective September 1, 2009

Vehicles gross weight	New Fee
6,001-10,000	\$54.00
10,001-18,000	\$110.00
18,001-25,999	\$205.00
26,000-40,000	\$340.00
40,001-54,999	\$535.00
55,000-70,000	\$740.00
70,001-80,000	\$840.00

There were no changes to the token trailer fees

6. DPS Sunset Bill (HB 2730) **passed** – earliest effective date June 19, 2009

The major changes to DPS affecting commercial vehicles occurred in the Driver License area.

- a. **Post Office Box not Valid as Address** – An applicant for a commercial driver’s license may receive delivery their license at a post office box only if the applicant has provided the DPS with documentation necessary to verify the validity of the physical address where the applicant resides.
 - b. **Life Time CDL Ban** – A person is disqualified from driving a commercial motor vehicle for life if the person uses a motor vehicle in an offense that involves the transportation, concealment, or harboring of an alien.
 - c. **State and Employer Notification of Motor Vehicle Traffic Violation** – A driver of a commercial driver’s license must notify the State and their employer within seven days of a conviction of any motor vehicle traffic law or ordinance.
7. The new fleet vehicle registration opportunity (SB 1759/HB 3433) **passed** - effective September 1, 2009
- a. Establishes an optional "extended" license plate registration process in the State that would allow companies with fleets of 25 or more vehicles to register those vehicles for a period up to eight years.
8. The new foreign motor vehicle registration correction (HB 782) **passed** - effective September 1, 2009
- a. Cleans up language from last session that requires Mexican motor carriers to register (license plate) the vehicles they own in Texas or in Mexico.
9. Fuel Tax Refund on diesel used off-road (SB 757) **died**
- a. Would have allowed industry to submit diesel tax refund on fuel used for power take-off equipment, off road equipment and reefer trailers.
10. Enforcement of underground storage tank certification (HB 3827/SB 2090) **died**
- a. Would have required tank truck drivers to verify underground tank certification before unloading product into tank.
11. The new hands free cell phones requirement (HB 55) **passed** - effective September 1, 2009
- a. Requires drivers to use a hands free devise when driving through school zones.
12. The prohibition of commercial vehicle parking in driveways (SB 1021) **died**
- a. Would have prohibited the parking of a commercial vehicle in driveways of residential subdivision.
13. The establishment of the Rail Relocation Fund (SB 1923) **died**
- a. Would have used monies paid to the State by the trucking industry to help fund rail relocation.
14. No new local commercial vehicle enforcement bills passed
- a. All sheriffs & deputies in the state (HB 2537) **died**
 - b. Sheriffs & deputies in counties over 250,000 population (HB 207) **died**
 - c. City of Vidor (HB 4332) **died**