

MINUTES

SENATE COMMITTEE ON TRANSPORTATION

Wednesday, May 15, 2013

7:30 AM

Capitol Extension, Room E1.016

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Transportation was held on Wednesday, May 15, 2013, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator Robert Nichols, Chair
Senator Ken Paxton, Vice Chair
Senator Donna Campbell
Senator Wendy Davis
Senator Rodney Ellis
Senator Kelly Hancock
Senator Dan Patrick
Senator Carlos Uresti
Senator Kirk Watson

MEMBERS ABSENT:

None

The chair called the meeting to order at 7:31 AM. There being a quorum present, the following business was transacted:

The chair laid out HB 3085 and recognized the Senate sponsor, Senator Garcia, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3085 be left pending; without objection, it was so ordered.

The chair laid out HB 138 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 138 be left pending; without objection, it was so ordered.

The chair laid out HB 1198 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Senator Paxton sent up a committee substitute; the chair recognized Senator Zaffirini to explain the difference between the committee substitute and the house bill as engrossed.

Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 1198 and its proposed committee substitute be left pending; without objection, it was so ordered.

The chair laid out HB 3946 and recognized the Senate sponsor, Senator Rodríguez, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3946 be left pending; without objection, it was so ordered.

The chair laid out HB 894 and recognized the Senate sponsor, Senator Hegar, to explain the bill. Senator Paxton sent up a committee substitute; the chair recognized Senator Hegar to explain the difference between the committee substitute and the house bill as engrossed. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 894 and its proposed committee substitute be left pending; without objection, it was so ordered.

The chair laid out HB 1384 and recognized the Senate sponsor, Senator Hegar, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 1384 be left pending; without objection, it was so ordered.

The chair laid out HB 3483 and recognized the Senate sponsor, Senator Watson, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3483 be left pending; without objection, it was so ordered.

The chair laid out HB 1174 and recognized the Senate sponsor, Senator Nelson, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 1174 be left pending; without objection, it was so ordered.

The chair laid out HB 1135 and recognized the Senate sponsor, Senator Uresti, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 1135 be left pending; without objection, it was so ordered.

The chair laid out HB 3668 and recognized the Senate sponsor, Senator Ellis, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3668 be left pending; without objection, it was so ordered.

The chair laid out HB 2300 and recognized the Senate sponsor, Senator Uresti, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 2300 be left pending; without objection, it was so ordered.

The chair laid out HB 3256 and recognized the Senate sponsor, Senator Uresti, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3256 be left pending; without objection, it was so ordered.

The chair laid out HB 2305 and recognized the Senate sponsor, Senator Watson, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 2305 be left pending; without objection, it was so ordered.

The chair laid out HB 3568 and recognized the Senate sponsor, Senator Watson, to explain the bill. The chair opened the floor for public testimony. There being none, the chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3568 be left pending; without objection, it was so ordered.

The chair laid out HB 1692 and recognized the Senate sponsor, Senator Patrick, to explain the bill. Senator Patrick sent up a committee substitute; the chair recognized Senator Patrick to explain the difference between the committee substitute and the house bill as engrossed. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved

that HB 1692 and its proposed committee substitute be left pending; without objection, it was so ordered.

The chair laid out HB 3677 and recognized the Senate sponsor, Senator Patrick, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nichols moved that HB 3677 be left pending; without objection, it was so ordered.

The chair laid out HB 2485 and recognized Senator Paxton, in the absence of the Senate sponsor, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nichols moved that HB 2485 be left pending; without objection, it was so ordered.

The chair laid out HB 3070 and recognized Senator Paxton, in the absence of the Senate sponsor, to explain the bill. The chair opened the floor for public testimony. There being none, the chair

moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols

moved that HB 3070 be left pending; without objection, it was so ordered.

The chair laid out HB 2394 and recognized Senator Paxton, in the absence of the Senate sponsor, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nichols moved that HB 2394 be left pending; without objection, it was so ordered.

The chair laid out HB 3523 and recognized the Senate sponsor, Senator Paxton, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nichols moved that HB 3523 be left pending; without objection, it was so ordered.

Senator Paxton assumed the chair.

The chair laid out HB 1675 and recognized the Senate sponsor, Senator Nichols, to explain the bill. Senator Nichols sent up a committee substitute; the chair recognized Senator Nichols to explain the difference between the committee substitute and the house bill as engrossed.

Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved

adoption of the committee substitute; without objection, it was so ordered. Senator Nichols

moved that HB 1675 do not pass but that CSHB 1675 be reported back to the Senate with the

recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Nichols resumed the chair.

The chair laid out HB 138, which had been left pending earlier in the hearing. Senator Paxton moved that HB 138 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 894, which had been left pending earlier in the hearing. Senator Paxton moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was so ordered. Senator Paxton moved that HB 894 do not pass but that CSHB 894 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1174, which had been left pending earlier in the hearing. Senator Paxton moved that HB 1174 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1198, which had been left pending earlier in the hearing. Senator Paxton moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was so ordered. Senator Paxton moved that HB 1198 do not pass but that CSHB 1198 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1384, which had been left pending earlier in the hearing. Senator Paxton moved that HB 1384 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1692, which had been left pending earlier in the hearing. Senator Paxton moved adoption of a committee substitute sent up earlier in the hearing; without objection, it was so ordered. Senator Patrick moved that HB 1692 do not pass but that CSHB 1692 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Patrick moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2300, which had been left pending earlier in the hearing. Senator Paxton moved that HB 2300 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2305, which had been left pending earlier in the hearing. Senator Watson moved that HB 2305 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2394, which had been left pending earlier in the hearing. Senator Paxton moved that HB 2394 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2485, which had been left pending earlier in the hearing. Senator Paxton moved that HB 2485 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3070, which had been left pending earlier in the hearing. Senator Paxton moved that HB 3070 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3085, which had been left pending earlier in the hearing. Senator Paxton moved that HB 3085 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3256, which had been left pending earlier in the hearing. Senator Paxton moved that HB 3256 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3483, which had been left pending earlier in the hearing. Senator Watson moved that HB 3483 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3568, which had been left pending earlier in the hearing. Senator Watson moved that HB 3568 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and

1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3668, which had been left pending earlier in the hearing. Senator Ellis moved that HB 3668 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Ellis moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3677, which had been left pending earlier in the hearing. Senator Patrick moved that HB 3677 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Patrick moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3946, which had been left pending earlier in the hearing. Senator Paxton moved that HB 3946 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti requested unanimous consent to be shown voting aye; without objection, it was so ordered. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 38. Senator Paxton moved adoption of a committee substitute sent up at a previous hearing; without objection, it was so ordered. Senator Paxton moved that HB 38 do not pass but that CSHB 38 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3422. Senator Paxton sent up a committee substitute; the chair recognized Senator Paxton to explain the difference between the committee substitute and the house bill as engrossed. Senator Paxton moved adoption of the committee substitute; without objection, it was so ordered. Senator Paxton moved that HB 3422 do not pass but that CSHB 3422 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and

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2 absent. Senator Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3523, which had been left pending earlier in the hearing. Senator Paxton moved that HB 3523 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 1 nay, 0 present not voting, and 1 absent.

There was no action taken for the following bill(s): HB 2921.

There being no further business, at 9:31 AM Senator Nichols moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Robert Nichols, Chair

Amy Jeter, Clerk