

**MINUTES**

**SENATE COMMITTEE ON TRANSPORTATION & HOMELAND SECURITY**

Monday, May 16, 2011

8:00 AM

Capitol Extension, Room E1.012

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Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Transportation & Homeland Security was held on Monday, May 16, 2011, in the Capitol Extension, Room E1.012, at Austin, Texas.

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**MEMBERS PRESENT:**

Senator Tommy Williams, Chair  
Senator Kirk Watson, Vice Chair  
Senator Wendy Davis  
Senator Rodney Ellis  
Senator Chris Harris  
Senator Juan Hinojosa  
Senator Robert Nichols  
Senator Florence Shapiro  
Senator Jeff Wentworth

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 8:00 AM. There being a quorum present at 9: 14 AM, the following business was transacted:

The chair laid out HB 2195 and recognized the Senate sponsor, Senator Carona, to explain the bill.

Witnesses 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 Williams moved that HB 2195 be left pending; without objection, it was so ordered.

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The chair laid out HB 2223 and recognized the Senate sponsor, Senator Carona, to explain the bill.

Witnesses 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 Williams moved that HB 2223 be left pending; without objection, it was so ordered.

The chair laid out HB 2469 and recognized the Senate sponsor, Senator Estes, to explain the bill.

No witnesses registered on this bill.

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

Senator Williams moved that HB 2469 be left pending; without objection, it was so ordered.

The chair laid out HB 2396 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill.

Witnesses 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 Williams moved that HB 2396 be left pending; without objection, it was so ordered.

The chair laid out HB 243 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill.

Senator Wentworth 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 Williams moved that HB 243 be left pending; without objection, it was so ordered.

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The chair laid out HB 468 and recognized Senator Watson, 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 Williams moved that HB 468 be left pending; without objection, it was so ordered.

The chair laid out HB 559 and recognized Senator Wentworth, in the absence of the Senate sponsor, to explain the bill.

Witnesses 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 Williams moved that HB 559 be left pending; without objection, it was so ordered.

The chair laid out HB 1866 and recognized the Senate sponsor, Senator Rodriguez, to explain the bill.

Witnesses 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 Williams moved that HB 1866 be left pending; without objection, it was so ordered.

The chair laid out HB 1395 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 Williams moved that HB 1395 be left pending; without objection, it was so ordered.

The chair laid out HB 343 and recognized the Senate sponsor, Senator Huffman, to explain the bill.

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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 Williams moved that HB 343 be left pending; without objection, it was so ordered.

The chair laid out HB 1523 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 Williams moved that HB 1523 be left pending; without objection, it was so ordered.

The chair laid out HB 2519 and recognized the Senate sponsor, Senator Watson, to explain the bill.

Witnesses 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 Williams moved that HB 2519 be left pending; without objection, it was so ordered.

The chair laid out HB 3309 and recognized the Senate sponsor, Senator Nichols, to explain the bill.

Witnesses 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 Williams moved that HB 3309 be left pending; without objection, it was so ordered.

Senator Watson assumed the chair.

The chair laid out as a matter of pending business HB 2017 and recognized the Senate sponsor, Senator Williams, to explain the bill.

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Senator Williams had previously sent up a committee substitute; the chair had previously recognized Senator Williams to explain the difference between the committee substitute and the house bill, as engrossed. Senator Williams had previously moved adoption of the committee substitute; without objection, it was so ordered.

No witnesses registered on this bill.

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

Senator Watson moved that HB 2017 be left pending; without objection, it was so ordered.

The chair laid out HB 2040 and recognized the Senate sponsor, Senator Williams, to explain the bill.

Witnesses 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 Watson moved that HB 2040 be left pending; without objection, it was so ordered.

The chair laid out HB 1235 and recognized Senator Williams, in the absence of the Senate sponsor, to explain the bill.

Witnesses 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 Watson moved that HB 1235 be left pending; without objection, it was so ordered.

Senator Williams resumed the chair.

The chair laid out as a matter of pending business HB 1201 and recognized Senator Nichols, in the absence of the Senate sponsor, 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. Senator Nichols moved adoption of the committee substitute; without objection, it was so ordered.

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No witnesses registered on this bill.

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

Senator Williams moved that HB 1201 be left pending; without objection, it was so ordered.

The chair laid out HB 787 and recognized the Senate sponsor, Senator Wentworth, to explain the bill.

Witnesses 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 Williams moved that HB 787 be left pending; without objection, it was so ordered.

The chair laid out HB 1486 and recognized the Senate sponsor, Senator Wentworth, to explain the bill.

No witnesses registered on this bill.

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

Senator Williams moved that HB 1486 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 308 and recognized the Senate sponsor, Senator Watson, to explain the bill.

Senator Watson moved to reconsider the motion by which the committee substitute for HB 308 was previously adopted; without objection, it was so ordered.

Senator Watson sent up a new committee substitute; the chair recognized Senator Watson to explain the difference between the committee substitute and the house bill, as engrossed. Senator Watson moved adoption of the new committee substitute; without objection, it was so ordered.

Senator Watson moved that HB 308 do not pass but that CSHB 308 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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 as a matter of pending business HB 1201 and recognized Senator Nichols, in the absence of the Senate sponsor, to explain the bill.

Senator Nichols moved that HB 1201 do not pass but that CSHB 1201 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

The chair laid out as a matter of pending business HB 588.

Senator Watson moved that HB 588 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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 as a matter of pending business HB 596.

Senator Harris moved that HB 596 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Harris 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 1116.

Senator Harris moved that HB 1116 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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

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The chair laid out as a matter of pending business HB 1305.

Senator Watson moved that HB 1305 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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

Senator Watson assumed the chair.

The chair laid out as a matter of pending business HB 441 and recognized the Senate sponsor, Senator Williams, to explain the bill.

Senator Williams moved that HB 441 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Williams 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 2017 and recognized the Senate sponsor, Senator Williams, to explain the bill.

Senator Williams moved that HB 2017 do not pass but that CSHB 2017 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Williams 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 2040 and recognized the Senate sponsor, Senator Williams, to explain the bill.

Senator Williams moved that HB 2040 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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

Senator Williams resumed the chair.

The chair laid out as a matter of pending business HB 343.

Senator Watson moved that HB 343 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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 as a matter of pending business HB 787 and recognized the Senate sponsor, Senator Wentworth, to explain the bill.

Senator Wentworth moved that HB 787 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Wentworth 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 1235.

Senator Watson moved that HB 1235 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Harris 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 1395 and recognized the Senate sponsor, Senator Watson, to explain the bill.

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Senator Watson moved that HB 1395 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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 as a matter of pending business HB 1486 and recognized the Senate sponsor, Senator Wentworth, to explain the bill.

Senator Wentworth moved that HB 1486 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Wentworth 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 1523 and recognized the Senate sponsor, Senator Watson, to explain the bill.

Senator Watson moved that HB 1523 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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 as a matter of pending business HB 1866.

Senator Davis moved that HB 1866 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Davis 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 2195.

Senator Watson moved that HB 2195 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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 as a matter of pending business HB 2223.

Senator Nichols moved that HB 2223 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Nichols 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 2469.

Senator Davis moved that HB 2469 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Davis 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 2519 and recognized the Senate sponsor, Senator Watson, to explain the bill.

Senator Watson moved that HB 2519 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 3 present not voting, and 0 absent.

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 as a matter of pending business HB 3309 and recognized the Senate sponsor, Senator Nichols, to explain the bill.

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Senator Nichols moved that HB 3309 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Nichols 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 1499 and recognized the Senate sponsor, Senator Wentworth, to explain the bill.

Senator Wentworth moved that HB 1499 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Wentworth 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 2325 and recognized the Senate sponsor, Senator Wentworth, to explain the bill.

Senator Wentworth moved that HB 2325 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Wentworth 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 1075 and recognized the Senate sponsor, Senator Davis, to explain the bill.

Senator Davis moved that HB 1075 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

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

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There being no further business, at 9:43 AM Senator Williams moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Pursuant to the suspension of Senate Rules 11.10 and 11.18, Senator Williams reconvened the Senate Committee on Transportation and Homeland Security at his desk at 1:38 PM. There being a quorum present, the following business was transacted:

**MEMBERS PRESENT:**

Senator Tommy Williams, Chair  
Senator Kirk Watson, Vice Chair  
Senator Wendy Davis  
Senator Rodney Ellis  
Senator Chris Harris  
Senator Juan Hinojosa  
Senator Robert Nichols  
Senator Florence Shapiro  
Senator Jeff Wentworth

**MEMBERS ABSENT:**

None

The chair laid out as a matter of pending business HB 805.

Senator Watson had previously sent up a committee substitute; the chair had previously recognized Senator Hegar to explain the difference between the committee substitute and the house bill, as engrossed. Senator Davis moved adoption of the committee substitute; without objection, it was so ordered.

Senator Shapiro moved that HB 805 do not pass but that CSHB 805 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Davis 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 887.

Senator Nichols moved that HB 887 be reported favorably to the Senate with the recommendation that it do pass and be printed. There being 3 ayes, 6 nays, 0 present not voting, and 0 absent, the motion failed to receive a majority vote of the committee membership.

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The chair laid out as a matter of pending business HB 1301.

Senator Watson had previously sent up a committee substitute; the chair had previously recognized Senator Eltife to explain the difference between the committee substitute and the senate bill as filed. Senator Watson had previously moved adoption of the committee substitute; without objection, it was so ordered.

Senator Davis moved that HB 1301 do not pass but that CSHB 1301 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Davis 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 1376 and recognized the Senate sponsor, Senator Ellis, to explain the bill.

Senator Ellis moved that HB 1376 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

There being no further business, at 1:43 PM Senator Williams moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Tommy Williams, Chair

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Tulsi Reddy, Clerk