

BILL ANALYSIS

C.S.H.B. 2305
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Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties assert that compressed natural gas is a growing source of clean burning fuel for vehicles in the United States and particularly in Texas. Federal motor vehicle safety standards and manufacturers of compressed natural gas containers on vehicles require that each container be inspected by a certified inspector once every three years or 36,000 miles in operation. Neither the Texas government nor the manufacturers of these containers currently have any method of ensuring that such cylinders are being inspected and, if necessary, removed. C.S.H.B. 2305 seeks to address this issue.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTIONS 1 and 2 of this bill.

ANALYSIS

C.S.H.B. 2305 amends the Transportation Code to prohibit an inspection station or inspector from issuing an inspection certificate for a vehicle equipped with a compressed natural gas container unless the owner demonstrates in accordance with rules of the Department of Public Safety (DPS) proof of either of the following: that the container has met inspection requirements under specified federal law and the manufacturer's recommended service life for the container, as stated on the container label required by that federal law, has not expired or that the vehicle is a fleet vehicle for which the fleet operator employs a technician certified to inspect the container.

C.S.H.B. 2305 requires DPS, not later than January 1, 2014, to adopt rules relating to the proof required for an inspection station or inspector to issue an inspection certificate for a vehicle equipped with a compressed natural gas container. The bill's provisions apply only to a vehicle inspected on or after September 1, 2014.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2305 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 548.051(a), Transportation Code, is amended to read as follows:

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

83R 26161

13.120.891

Substitute Document Number: 83R 23380

(a) A motor vehicle, trailer, semitrailer, pole trailer, or mobile home, registered in this state, must have the following items inspected at an inspection station or by an inspector:

- (1) tires;
- (2) wheel assembly;
- (3) safety guards or flaps, if required by Section 547.606;
- (4) brake system, including power brake unit;
- (5) steering system, including power steering;
- (6) lighting equipment;
- (7) horns and warning devices;
- (8) mirrors;
- (9) windshield wipers;
- (10) sunscreening devices, unless the vehicle is exempt from sunscreen device restrictions under Section 547.613;
- (11) front seat belts in vehicles on which seat belt anchorages were part of the manufacturer's original equipment;
- (12) tax decal, if required by Section 548.104(d)(1);
- (13) exhaust system;
- (14) exhaust emission system;
- (15) fuel tank cap, using pressurized testing equipment approved by department rule; ~~and~~
- (16) emissions control equipment as designated by department rule; and
- (17) for a vehicle powered fully or partly by compressed natural gas, the compressed natural gas container, as provided by Section 548.104(f).

SECTION 2. Section 548.104, Transportation Code, is amended by adding Subsection (f) to read as follows:

(f) Commission rules adopted for the inspection of a compressed natural gas container must prohibit the issuance of an inspection certificate if:

- (1) the container is unsafe due to damage or deterioration; or
- (2) the manufacturer's recommended service life for the container, as stated on the container label required by federal motor vehicle safety standards, has expired.

No equivalent provision.

No equivalent provision.

SECTION 1. Section 548.104(d), Transportation Code, is amended to read as follows:

- (d) An inspection station or inspector may

not issue an inspection certificate for a vehicle equipped with:

(1) a carburetion device permitting the use of liquefied gas alone or interchangeably with another fuel, unless a valid liquefied gas tax decal issued by the comptroller is attached to the lower right-hand corner of the front windshield of the vehicle on the passenger side; [ø]

(2) a sunscreening device prohibited by Section 547.613, except that the department by rule shall provide procedures for issuance of an inspection certificate for a vehicle exempt under Section 547.613(c); or

(3) a compressed natural gas container unless the owner demonstrates in accordance with department rules proof:

(A) that:

(i) the container has met the inspection requirements under 49 C.F.R. Section 571.304; and

(ii) the manufacturer's recommended service life for the container, as stated on the container label required by 49 C.F.R. Section 571.304, has not expired; or

(B) that the vehicle is a fleet vehicle for which the fleet operator employs a technician certified to inspect the container.

SECTION 3. (a) Not later than January 1, 2014, the Public Safety Commission shall adopt rules governing the inspection of compressed natural gas containers, as required by Sections 548.051(a)(17) and 548.104(f), Transportation Code, as added by this Act.

(b) The changes in law made by Section 548.051(a)(17) and 548.104(f), Transportation Code, as added by this Act, apply only to a vehicle inspected on or after September 1, 2014.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 2. (a) Not later than January 1, 2014, the Department of Public Safety shall adopt rules relating to the proof required by Section 548.104(d), Transportation Code, as amended by this Act.

(b) The change in law made by Section 548.104(d), Transportation Code, as amended by this Act, applies only to a vehicle inspected on or after September 1, 2014.

SECTION 3. Same as introduced version.