

By: Sparks

S.B. No. 497

A BILL TO BE ENTITLED

AN ACT

relating to the operation of certain vehicles preceding, during,  
and following disasters.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 162.235, Tax Code, is amended by adding  
Subsection (c) to read as follows:

(c) Notwithstanding Subsection (a), a person who purchases  
dyed motor fuel and furnishes to the licensed supplier or  
distributor under Section 162.206(a) a signed statement that  
includes an end user number issued by the comptroller may operate a  
motor vehicle on a public highway in this state with that dyed motor  
fuel in the fuel supply tank of the motor vehicle during a period  
beginning on the date a state of disaster is declared under Section  
418.014, Government Code, due to a fire, flood, earthquake,  
tornado, hurricane, storm, or energy emergency and ending on the  
30th day after the declaration expires or otherwise terminates, if  
the motor vehicle is operated:

(1) in the area designated a disaster area by the  
disaster declaration; or

(2) in an area other than the area described by  
Subdivision (1) if the dyed motor fuel was placed in the fuel supply  
tank of the motor vehicle in the area described by that subdivision.

SECTION 2. Section 621.102(d), Transportation Code, is  
amended to read as follows:

1 (d) A vehicle operating under a permit issued under Section  
2 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192,  
3 623.212, [~~or~~] 623.321, or 623.451 [~~as added by Chapter 1135 (H.B.~~  
4 ~~2741), Acts of the 83rd Legislature, Regular Session, 2013,~~] may  
5 operate under the conditions authorized by the permit over a road  
6 for which the executive director of the Texas Department of  
7 Transportation has set a maximum weight under this section.

8 SECTION 3. Section 621.301(e), Transportation Code, is  
9 amended to read as follows:

10 (e) A vehicle operating under a permit issued under Section  
11 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192,  
12 623.212, [~~or~~] 623.321, or 623.451 [~~as added by Chapter 1135 (H.B.~~  
13 ~~2741), Acts of the 83rd Legislature, Regular Session, 2013,~~] may  
14 operate under the conditions authorized by the permit over a road  
15 for which the commissioners court has set a maximum weight under  
16 this section.

17 SECTION 4. Chapter 623, Transportation Code, is amended by  
18 adding Subchapter W to read as follows:

19 SUBCHAPTER W. PERMIT FOR VEHICLES TRANSPORTING AGRICULTURAL  
20 COMMODITIES DURING OR PRECEDING DISASTER

21 Sec. 623.451. PERMIT TO DELIVER AGRICULTURAL COMMODITIES.

22 (a) In this section:

23 (1) "Agricultural commodity" means an agricultural,  
24 horticultural, viticultural, silvicultural, or vegetable product,  
25 bees or honey, planting seed, cottonseed, rice, livestock or a  
26 livestock product, or poultry or a poultry product that is produced  
27 in this state, either in its natural form or as processed by the

1 producer, including woodchips.

2 (2) "Division" means the Texas Division of Emergency  
3 Management.

4 (b) Notwithstanding any other law, the department may issue  
5 a special permit to an oversize or overweight vehicle or load that:

6 (1) can easily be dismantled or divided; and

7 (2) will be used only to deliver agricultural  
8 commodities.

9 (c) The department may issue a permit under this section  
10 only:

11 (1) during an emergency or major disaster as declared  
12 by the president of the United States under the Robert T. Stafford  
13 Disaster Relief and Emergency Assistance Act (42 U.S.C. Section  
14 5121 et seq.) or following a declaration of a state of disaster  
15 under Section 418.014, Government Code; or

16 (2) preceding an event that may result in a  
17 declaration of a state of disaster under Section 418.014,  
18 Government Code, if issuance of the permit for the event is  
19 authorized by the division.

20 (d) A person may file an application to the division in the  
21 manner prescribed by the division requesting that the division  
22 authorize the issuance of a permit preceding an event described by  
23 Subsection (c)(2). If the division authorizes the issuance of the  
24 permit, the division shall notify the department of that decision  
25 in the manner prescribed by the department and include in the notice  
26 the counties in which a vehicle issued the permit may be operated.

27 (e) A permit under this section that is issued under:

1           (1) Subsection (c)(1) expires not later than the 120th  
2 day after the date of the disaster or emergency declaration; or

3           (2) Subsection (c)(2) expires not later than the 120th  
4 day after the date the department receives notice from the division  
5 under Subsection (d) authorizing the issuance of the permit.

6           Sec. 623.452. RULES. The board may adopt rules necessary to  
7 implement this subchapter, including rules that establish the  
8 requirements for obtaining a permit.

9           Sec. 623.453. PERMIT CONDITIONS. The department may impose  
10 conditions on a permit holder to ensure the safe operation of a  
11 permitted vehicle and minimize damage to roadways, including  
12 requirements related to vehicle routing, hours of operation, weight  
13 limits, and lighting and requirements for escort vehicles.

14           Sec. 623.454. INTERSTATE AND DEFENSE HIGHWAYS AND FEDERAL  
15 AID PRIMARY HIGHWAY SYSTEM. (a) This subchapter does not authorize  
16 the operation on the national system of interstate and defense  
17 highways or the federal aid primary highway system in this state of  
18 a vehicle with a size or weight greater than those permitted under  
19 23 U.S.C. Section 127 or 49 U.S.C. Sections 31111 through 31114.

20           (b) If the United States authorizes the operation on the  
21 national system of interstate and defense highways or the federal  
22 aid primary highway system of a vehicle with a size or weight  
23 greater than those permitted under 23 U.S.C. Section 127 or 49  
24 U.S.C. Sections 31111 through 31114 on September 1, 2025, the new  
25 limit automatically takes effect on the national system of  
26 interstate and defense highways or the federal aid primary highway  
27 system in this state.

1           SECTION 5. The change in law made by this Act to Section  
2 [162.235](#), Tax Code, applies only to conduct that occurs on or after  
3 the effective date of this Act. Conduct that occurred before the  
4 effective date of this Act is governed by the law in effect on the  
5 date the conduct occurred, and the former law is continued in effect  
6 for that purpose. For purposes of this section, conduct occurred  
7 before the effective date of this Act if any element of the conduct  
8 occurred before that date.

9           SECTION 6. This Act takes effect September 1, 2025.