

1-1 By: Armbrister S.B. No. 20  
1-2 (In the Senate - Filed April 15, 2003; April 16, 2003, read  
1-3 first time and referred to Committee on Natural Resources;  
1-4 May 7, 2003, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; May 7, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the issuance of certain permits for overweight  
1-9 vehicles; providing a penalty.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 623, Transportation Code, is amended by  
1-12 adding Subchapter L to read as follows:

1-13 SUBCHAPTER L. VICTORIA COUNTY NAVIGATION DISTRICT PERMITS

1-14 Sec. 623.230. OPTIONAL PROCEDURE. This subchapter provides  
1-15 an optional procedure for the issuance of a permit by the Victoria  
1-16 County Navigation District for the movement of oversize or  
1-17 overweight vehicles carrying cargo on state highways located in  
1-18 Victoria County.

1-19 Sec. 623.231. DEFINITION. In this subchapter, "district"  
1-20 means the Victoria County Navigation District.

1-21 Sec. 623.232. ISSUANCE OF PERMITS. The Texas  
1-22 Transportation Commission may authorize the district to issue  
1-23 permits for the movement of oversize or overweight vehicles  
1-24 carrying cargo on state highways located in Victoria County.

1-25 Sec. 623.233. MAINTENANCE CONTRACTS. The district shall  
1-26 make payments to the department to provide funds for the  
1-27 maintenance of state highways subject to this subchapter.

1-28 Sec. 623.234. PERMIT FEES. (a) The district may collect a  
1-29 fee for permits issued under this subchapter. The fees shall not  
1-30 exceed \$80 per trip.

1-31 (b) Fees collected under Subsection (a) shall be used solely  
1-32 to provide funds for the payments provided for under Section  
1-33 623.233 less administrative costs, which shall not exceed 15  
1-34 percent of the fees collected. The fees shall be deposited in the  
1-35 state highway fund. Fees deposited in the state highway fund under  
1-36 this section are exempt from the application of Section 403.095,  
1-37 Government Code.

1-38 Sec. 623.235. PERMIT REQUIREMENTS. (a) A permit issued  
1-39 under this subchapter must include:

1-40 (1) the name of the applicant;

1-41 (2) the date of issuance;

1-42 (3) the signature of the director of the district;

1-43 (4) a statement of the kind of cargo being transported  
1-44 over Farm-to-Market Road 1432 to and from the Victoria Barge Canal  
1-45 and up to but not past the intersection with State Highway 185, the  
1-46 maximum weight and dimensions of the equipment, and the kind and  
1-47 weight of each commodity to be transported, provided that the gross  
1-48 weight of such equipment and commodities shall not exceed 125,000  
1-49 pounds;

1-50 (5) a statement of any condition on which the permit is  
1-51 issued;

1-52 (6) a statement that the cargo shall only be  
1-53 transported to and from the Victoria Barge Canal using  
1-54 Farm-to-Market Road 1432 and may not be transported over State  
1-55 Highway 185;

1-56 (7) the name of the driver of the vehicle in which the  
1-57 cargo is to be transported; and

1-58 (8) the location where the cargo was loaded.

1-59 (b) The district shall report to the department all permits  
1-60 issued under this subchapter.

1-61 Sec. 623.236. TIME OF MOVEMENT. A permit issued under this  
1-62 subchapter shall specify the time in which movement authorized by  
1-63 the permit is allowed.

1-64 Sec. 623.237. SPEED LIMIT. Movement authorized by a permit

2-1 issued under this subchapter shall not exceed the posted speed  
2-2 limit or 55 miles per hour, whichever is less. Violation of this  
2-3 provision shall constitute a moving violation.

2-4 Sec. 623.238. ENFORCEMENT. The Department of Public Safety  
2-5 shall have authority to enforce the provisions of this subchapter.

2-6 Sec. 623.239. RULES. The Texas Transportation Commission  
2-7 may adopt rules necessary to implement this subchapter.

2-8 SECTION 2. This Act takes effect September 1, 2003.

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