

AN ACT

relating to size and weight limitations for certain vehicles transporting agricultural products and equipment.

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

SECTION 1. Section 504.505(a), Transportation Code, is amended to read as follows:

(a) The department shall issue specialty license plates for a single motor vehicle that is:

(1) used only to transport chile pepper modules, seed cotton [~~modules~~], cotton, cotton burrs, or equipment used in transporting or processing chile peppers or cotton; and

(2) not more than 10 feet in width.

SECTION 2. Section 522.003, Transportation Code, is amended by adding Subdivision (24-a) to read as follows:

(24-a) "Seed cotton module" means compacted seed cotton in any form.

SECTION 3. Subchapter I, Chapter 622, Transportation Code, is amended to read as follows:

SUBCHAPTER I. VEHICLES TRANSPORTING CERTAIN AGRICULTURAL PRODUCTS

[COTTON] OR [COTTON PROCESSING] EQUIPMENT

Sec. 622.101. VEHICLE TRANSPORTING CERTAIN AGRICULTURAL PRODUCTS [~~COTTON~~] OR PROCESSING EQUIPMENT. (a) A single motor vehicle used exclusively to transport chile pepper modules, seed cotton [~~modules~~], cotton, cotton burrs, or equipment used to

1 transport or process chile pepper modules or cotton, including a
2 motor vehicle or burr spreader, may not be operated on a highway or
3 road if the vehicle is:

4 (1) wider than 10 feet and the highway has not been
5 designated by the commission under Section 621.202 [~~if the vehicle~~
6 ~~is registered under Section 502.277~~];

7 (2) longer than 48 feet; or

8 (3) higher than 14 feet 6 inches.

9 (b) A motor vehicle that transports agricultural products
10 under this section must be registered under Section 504.505.

11 SECTION 4. Section 622.953, Transportation Code, is amended
12 to read as follows:

13 Sec. 622.953. VEHICLE TRANSPORTING SEED COTTON OR CHILE
14 PEPPER MODULES. (a) The weight limitations of Section 621.101 do
15 not apply to a single motor vehicle used exclusively to transport
16 chile pepper modules, seed cotton, or equipment, including a motor
17 vehicle, used to transport or process chile pepper modules or seed
18 cotton [~~modules~~].

19 (b) The overall gross weight of a single motor vehicle used
20 to transport seed cotton or equipment used to transport or process
21 seed cotton [~~to which this section applies~~] may not be heavier than
22 59,400 pounds.

23 (c) The overall gross weight of a single motor vehicle used
24 to transport chile pepper modules or equipment used to transport or
25 process chile pepper modules may not be heavier than 54,000 pounds.

26 (d) The owner of a single motor vehicle to which this
27 section applies that has a gross weight above the gross weight

1 authorized by this section that is applicable to the vehicle [~~of~~
2 ~~more than 59,400 pounds~~] is liable to the state, county, or
3 municipality for any damage to a highway, street, road, or bridge
4 caused by the weight of the load.

5 (e) [~~(d)~~] A vehicle to which this section applies may not be
6 operated on the national system of interstate and defense highways
7 if the vehicle exceeds the maximum weight authorized by 23 U.S.C.
8 Section 127, as amended.

9 SECTION 5. Section 644.052(c), Transportation Code, is
10 amended to read as follows:

11 (c) A rule adopted under this chapter may not apply to a
12 vehicle that is operated intrastate and that is:

13 (1) a machine generally consisting of a mast, engine,
14 draw works, and chassis permanently constructed or assembled to be
15 used and used in oil or water well servicing or drilling;

16 (2) a mobile crane that is an unladen, self-propelled
17 vehicle constructed as a machine to raise, shift, or lower weight;
18 or

19 (3) a vehicle transporting [~~a~~] seed cotton [~~module~~].

20 SECTION 6. The changes in law made by this Act apply only to
21 an offense committed on or after September 1, 2005. An offense
22 committed before September 1, 2005, is covered by the law as it
23 existed immediately before the effective date of this Act, and the
24 former law is continued in effect for that purpose.

25 SECTION 7. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 749 was passed by the House on March 31, 2005, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 749 on May 16, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 749 was passed by the Senate, with amendments, on May 12, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor