

1-1 By: Jones of Lubbock, et al. (Senate Sponsor-Duncan) H.B. No. 749
1-2 (In the Senate - Received from the House April 4, 2005;
1-3 April 6, 2005, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 3, 2005, reported
1-5 adversely, with favorable Committee Substitute by the following
1-6 vote: Yeas 6, Nays 0; May 3, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 749 By: Brimer

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to size and weight limitations for certain vehicles
1-11 transporting agricultural products and equipment.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 504.505(a), Transportation Code, is
1-14 amended to read as follows:

1-15 (a) The department shall issue specialty license plates for
1-16 a single motor vehicle that is:

1-17 (1) used only to transport chile pepper modules, seed
1-18 cotton [~~modules~~], cotton, cotton burrs, or equipment used in
1-19 transporting or processing chile peppers or cotton; and

1-20 (2) not more than 10 feet in width.

1-21 SECTION 2. Section 522.003, Transportation Code, is amended
1-22 by adding Subdivision (24-a) to read as follows:

1-23 (24-a) "Seed cotton module" means compacted seed
1-24 cotton in any form.

1-25 SECTION 3. Subchapter I, Chapter 622, Transportation Code,
1-26 is amended to read as follows:

1-27 SUBCHAPTER I. VEHICLES TRANSPORTING CERTAIN AGRICULTURAL PRODUCTS
1-28 [~~COTTON~~] OR [~~COTTON PROCESSING~~] EQUIPMENT

1-29 Sec. 622.101. VEHICLE TRANSPORTING CERTAIN AGRICULTURAL
1-30 PRODUCTS [~~COTTON~~] OR PROCESSING EQUIPMENT. (a) A single motor
1-31 vehicle used exclusively to transport chile pepper modules, seed
1-32 cotton [~~modules~~], cotton, cotton burrs, or equipment used to
1-33 transport or process chile pepper modules or cotton, including a
1-34 motor vehicle or burr spreader, may not be operated on a highway or
1-35 road if the vehicle is:

1-36 (1) wider than 10 feet and the highway has not been
1-37 designated by the commission under Section 621.202 [~~if the vehicle~~
1-38 ~~is registered under Section 502.277~~];

1-39 (2) longer than 48 feet; or

1-40 (3) higher than 14 feet 6 inches.

1-41 (b) A motor vehicle that transports agricultural products
1-42 under this section must be registered under Section 504.505.

1-43 SECTION 4. Section 622.953, Transportation Code, is amended
1-44 to read as follows:

1-45 Sec. 622.953. VEHICLE TRANSPORTING SEED COTTON OR CHILE
1-46 PEPPER MODULES. (a) The weight limitations of Section 621.101 do
1-47 not apply to a single motor vehicle used exclusively to transport
1-48 chile pepper modules, seed cotton, or equipment, including a motor
1-49 vehicle, used to transport or process chile pepper modules or seed
1-50 cotton [~~modules~~].

1-51 (b) The overall gross weight of a single motor vehicle used
1-52 to transport seed cotton or equipment used to transport or process
1-53 seed cotton [~~to which this section applies~~] may not be heavier than
1-54 59,400 pounds.

1-55 (c) The overall gross weight of a single motor vehicle used
1-56 to transport chile pepper modules or equipment used to transport or
1-57 process chile pepper modules may not be heavier than 54,000 pounds.

1-58 (d) The owner of a single motor vehicle to which this
1-59 section applies that has a gross weight above the gross weight
1-60 authorized by this section that is applicable to the vehicle [~~of~~
1-61 more than 59,400 pounds] is liable to the state, county, or
1-62 municipality for any damage to a highway, street, road, or bridge
1-63 caused by the weight of the load.

2-1 (e) [~~(d)~~] A vehicle to which this section applies may not be
2-2 operated on the national system of interstate and defense highways
2-3 if the vehicle exceeds the maximum weight authorized by 23 U.S.C.
2-4 Section 127, as amended.

2-5 SECTION 5. Section 644.052(c), Transportation Code, is
2-6 amended to read as follows:

2-7 (c) A rule adopted under this chapter may not apply to a
2-8 vehicle that is operated intrastate and that is:

2-9 (1) a machine generally consisting of a mast, engine,
2-10 draw works, and chassis permanently constructed or assembled to be
2-11 used and used in oil or water well servicing or drilling;

2-12 (2) a mobile crane that is an unladen, self-propelled
2-13 vehicle constructed as a machine to raise, shift, or lower weight;
2-14 or

2-15 (3) a vehicle transporting [~~a~~] seed cotton [~~module~~].

2-16 SECTION 6. The changes in law made by this Act apply only to
2-17 an offense committed on or after September 1, 2005. An offense
2-18 committed before September 1, 2005, is covered by the law as it
2-19 existed immediately before the effective date of this Act, and the
2-20 former law is continued in effect for that purpose.

2-21 SECTION 7. This Act takes effect September 1, 2005.

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