

AN ACT

relating to an optional procedure for the issuance of a permit by a certain county for the movement of oversize or overweight vehicles.

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

SECTION 1. Chapter 623, Transportation Code, is amended by adding Subchapter M to read as follows:

SUBCHAPTER M. CHAMBERS COUNTY PERMITS

Sec. 623.250. OPTIONAL PROCEDURE. This subchapter provides an optional procedure for the issuance of a permit by Chambers County for the movement of oversize or overweight vehicles carrying cargo on certain state highways located in Chambers County.

Sec. 623.251. DEFINITION. In this subchapter, "county" means Chambers County.

Sec. 623.252. ISSUANCE OF PERMITS. (a) The Texas Transportation Commission may authorize the county to issue permits for the movement of oversize or overweight vehicles carrying cargo on state highways located in Chambers County.

(b) A permit issued under this subchapter may authorize:

(1) the transport of cargo only on the following roads in Chambers County:

(A) Farm-to-Market Road 1405; and

(B) the frontage road of State Highway 99 located in the Cedar Crossing Business Park; and

(2) the movement of equipment and commodities weighing

1 100,000 pounds or less.

2 Sec. 623.253. MAINTENANCE CONTRACTS. The county shall make
3 payments to the department to provide funds for the maintenance of
4 state highways subject to this subchapter.

5 Sec. 623.254. PERMIT FEES. (a) The county may collect a
6 fee for permits issued under this subchapter. The fee may not
7 exceed \$80 per trip.

8 (b) Fees collected under Subsection (a) may be used only to
9 provide funds for the payments under Section 623.253 and for the
10 county's administrative costs, which may not exceed 15 percent of
11 the fees collected. The fees shall be deposited in the state
12 highway fund. Fees deposited in the state highway fund under this
13 section are exempt from the application of Section 403.095,
14 Government Code.

15 Sec. 623.255. PERMIT REQUIREMENTS. (a) A permit issued
16 under this subchapter must include:

17 (1) the name of the applicant;

18 (2) the date of issuance;

19 (3) the signature of the designated agent for the
20 county;

21 (4) a statement of the kind of cargo being
22 transported, the maximum weight and dimensions of the equipment,
23 and the kind and weight of each commodity to be transported;

24 (5) a statement of any condition on which the permit is
25 issued;

26 (6) a statement that the cargo may be transported in
27 Chambers County only over Farm-to-Market Road 1405 and the frontage

1 road of State Highway 99 located in the Cedar Crossing Business
2 Park; and

3 (7) the location where the cargo was loaded.

4 (b) The county shall report to the department all permits
5 issued under this subchapter.

6 Sec. 623.256. TIME OF MOVEMENT. A permit issued under this
7 subchapter must specify the time during which movement authorized
8 by the permit is allowed.

9 Sec. 623.257. SPEED LIMIT. Movement authorized by a permit
10 issued under this subchapter may not exceed the posted speed limit
11 or 55 miles per hour, whichever is less. A violation of this
12 provision constitutes a moving violation.

13 Sec. 623.258. ENFORCEMENT. The Department of Public Safety
14 has authority to enforce this subchapter.

15 Sec. 623.259. RULES. The Texas Transportation Commission
16 may adopt rules necessary to implement this subchapter.

17 SECTION 2. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 1044 was passed by the House on March 17, 2005, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1044 on May 24, 2005, by the following vote: Yeas 140, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1044 was passed by the Senate, with amendments, on May 23, 2005, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor