

1-1 By: Eiland, Smith of Harris H.B. No. 1044  
1-2 (Senate Sponsor - Williams)  
1-3 (In the Senate - Received from the House March 21, 2005;  
1-4 March 30, 2005, read first time and referred to Committee on  
1-5 Transportation and Homeland Security; May 20, 2005, reported  
1-6 adversely, with favorable Committee Substitute by the following  
1-7 vote: Yeas 6, Nays 2; May 20, 2005, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 1044 By: Wentworth

1-9 A BILL TO BE ENTITLED  
1-10 AN ACT

1-11 relating to an optional procedure for the issuance of a permit by a  
1-12 certain county for the movement of oversize or overweight vehicles.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Chapter 623, Transportation Code, is amended by  
1-15 adding Subchapter M to read as follows:

1-16 SUBCHAPTER M. CHAMBERS COUNTY PERMITS

1-17 Sec. 623.250. OPTIONAL PROCEDURE. This subchapter provides  
1-18 an optional procedure for the issuance of a permit by Chambers  
1-19 County for the movement of oversize or overweight vehicles carrying  
1-20 cargo on certain state highways located in Chambers County.

1-21 Sec. 623.251. DEFINITION. In this subchapter, "county"  
1-22 means Chambers County.

1-23 Sec. 623.252. ISSUANCE OF PERMITS. (a) The Texas  
1-24 Transportation Commission may authorize the county to issue permits  
1-25 for the movement of oversize or overweight vehicles carrying cargo  
1-26 on state highways located in Chambers County.

1-27 (b) A permit issued under this subchapter may authorize:

1-28 (1) the transport of cargo only on the following roads  
1-29 in Chambers County:

1-30 (A) Farm-to-Market Road 1405; and

1-31 (B) the frontage road of State Highway 99 located  
1-32 in the Cedar Crossing Business Park; and

1-33 (2) the movement of equipment and commodities weighing  
1-34 100,000 pounds or less.

1-35 Sec. 623.253. MAINTENANCE CONTRACTS. The county shall make  
1-36 payments to the department to provide funds for the maintenance of  
1-37 state highways subject to this subchapter.

1-38 Sec. 623.254. PERMIT FEES. (a) The county may collect a  
1-39 fee for permits issued under this subchapter. The fee may not  
1-40 exceed \$80 per trip.

1-41 (b) Fees collected under Subsection (a) may be used only to  
1-42 provide funds for the payments under Section 623.253 and for the  
1-43 county's administrative costs, which may not exceed 15 percent of  
1-44 the fees collected. The fees shall be deposited in the state  
1-45 highway fund. Fees deposited in the state highway fund under this  
1-46 section are exempt from the application of Section 403.095,  
1-47 Government Code.

1-48 Sec. 623.255. PERMIT REQUIREMENTS. (a) A permit issued  
1-49 under this subchapter must include:

1-50 (1) the name of the applicant;

1-51 (2) the date of issuance;

1-52 (3) the signature of the designated agent for the  
1-53 county;

1-54 (4) a statement of the kind of cargo being  
1-55 transported, the maximum weight and dimensions of the equipment,  
1-56 and the kind and weight of each commodity to be transported;

1-57 (5) a statement of any condition on which the permit is  
1-58 issued;

1-59 (6) a statement that the cargo may be transported in  
1-60 Chambers County only over Farm-to-Market Road 1405 and the frontage  
1-61 road of State Highway 99 located in the Cedar Crossing Business  
1-62 Park; and

1-63 (7) the location where the cargo was loaded.

2-1 (b) The county shall report to the department all permits  
2-2 issued under this subchapter.

2-3 Sec. 623.256. TIME OF MOVEMENT. A permit issued under this  
2-4 subchapter must specify the time during which movement authorized  
2-5 by the permit is allowed.

2-6 Sec. 623.257. SPEED LIMIT. Movement authorized by a permit  
2-7 issued under this subchapter may not exceed the posted speed limit  
2-8 or 55 miles per hour, whichever is less. A violation of this  
2-9 provision constitutes a moving violation.

2-10 Sec. 623.258. ENFORCEMENT. The Department of Public Safety  
2-11 has authority to enforce this subchapter.

2-12 Sec. 623.259. RULES. The Texas Transportation Commission  
2-13 may adopt rules necessary to implement this subchapter.

2-14 SECTION 2. This Act takes effect immediately if it receives  
2-15 a vote of two-thirds of all the members elected to each house, as  
2-16 provided by Section 39, Article III, Texas Constitution. If this  
2-17 Act does not receive the vote necessary for immediate effect, this  
2-18 Act takes effect September 1, 2005.

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