

By: Hamric, Otto

H.B. No. 1882

Substitute the following for H.B. No. 1882:

By: Deshotel

C.S.H.B. No. 1882

A BILL TO BE ENTITLED

AN ACT

1
2 relating to permits issued for moving certain heavy equipment over
3 certain highways.

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

5 SECTION 1. Subchapter D, Chapter 623, Transportation Code,
6 is amended by adding Section 623.0711 to read as follows:

7 Sec. 623.0711. SEALED OCEAN CONTAINERS. (a) The
8 department may consider sealed ocean containers to be superheavy
9 equipment that cannot reasonably be dismantled.

10 (b) The Texas Transportation Commission shall by rule
11 establish procedures to issue an annual permit for transporting
12 sealed ocean containers over a state highway in the same manner as
13 provided by Section 623.071 if:

14 (1) the containers are used to pack, ship, move, or
15 transport plastic resin or paper; and

16 (2) the proposed movement of the containers to a port
17 or intermodal hub as defined by Section 370.003 located in this
18 state does not exceed 75 miles from the point of loading.

19 (c) The Texas Transportation Commission may by rule
20 establish procedures to issue a single trip permit for transporting
21 sealed ocean containers that meet the requirements of Subsection
22 (b) over a state highway in the same manner as provided by Section
23 623.071.

24 (d) The fee for a permit issued under this section shall be

1 sent to the comptroller for deposit to the credit of the state
2 highway fund. Fees deposited in the state highway fund under this
3 section are exempt from the application of Section 403.095,
4 Government Code.

5 (e) The commissioners court of a county may designate to the
6 department the route in the county to be used by a vehicle operating
7 over a county road under a permit issued under this section. The
8 department shall provide a permit holder with a map of each route
9 designated under this subsection. If the commissioners court does
10 not designate a route under this subsection, a vehicle operating
11 under a permit issued under this section may not operate over a
12 county road in that county.

13 SECTION 2. Section 621.102(e), Transportation Code, is
14 amended to read as follows:

15 (e) A vehicle operating under a permit issued under Section
16 623.011, 623.071, 623.0711, 623.094, 623.121, 623.142, 623.181,
17 623.192, or 623.212 may operate under the conditions authorized by
18 the permit over a road for which the commission has set a maximum
19 weight under this section.

20 SECTION 3. Section 621.301(e), Transportation Code, is
21 amended to read as follows:

22 (e) A vehicle operating under a permit issued under Section
23 623.011, 623.071, 623.0711, 623.094, 623.121, 623.142, 623.181,
24 623.192, or 623.212 may operate under the conditions authorized by
25 the permit over a road for which the commissioners court has set a
26 maximum weight under this section.

27 SECTION 4. Section 623.015, Transportation Code, is amended

1 by adding Subsection (c) to read as follows:

2 (c) The holder of a permit issued under Section 623.0711 who
3 has filed the bond or letter of credit required for the permit is
4 liable to the county only for the actual damage to a county road,
5 bridge, or culvert with a load limitation established under
6 Subchapter B of Chapter 621 or Section 621.301 caused by the
7 operation of the vehicle in excess of the limitation.

8 SECTION 5. Section 623.072(a), Transportation Code, is
9 amended to read as follows:

10 (a) A municipality having a state highway in its territory
11 shall designate to the department the route in the municipality to
12 be used by equipment described by Section 623.071 or 623.0711
13 operating over the state highway. The department shall show the
14 designated route on each map routing the equipment.

15 SECTION 6. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2005.