

BILL ANALYSIS

C.S.S.B. 387
By: Carona
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, Section 725.001, Transportation Code, prohibits loose material from being transported by certain vehicles without proper covering to prevent blowing or spilling of such material, but refuse is not included in the definition of loose material. This statute is somewhat unclear to both law enforcement and the transportation industry in determining what commodities require mandatory covering.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 387 redefines "loose material" and defines "refuse." The bill deletes existing text that exempts a vehicle operated at a speed less than 30 miles an hour from application of this chapter (Transportation of Loose Materials).

The bill makes conforming and non-substantive changes.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute deletes the definition and term "aggregates" from this section. Furthermore, the substitute takes the bill back to its original draft by removing language under Section 750.002, Transportation Code that states "having a manufacturer's rated carrying capacity of three tons or more" that was added as a floor amendment in the Senate.