

## **BILL ANALYSIS**

Senate Research Center  
81R8242 MTB-F

S.B. 1093  
By: Carona  
Transportation & Homeland Security  
3/30/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, statute defines a commercial vehicle as any vehicle that has a maximum allowable weight of 26,001 pounds or more, which includes a towed unit with a maximum allowable weight of more than 10,000 pounds. People are circumventing the law by using non-commercial vehicles which exceed the weight limits, such as a car with a trailer attached, in order to transport commercial goods. This practice creates a safety hazard due to people driving vehicles that weigh as much as a commercial motor vehicle without the appropriate license and training.

As proposed, S.B. 1093 redefines "commercial motor vehicle" to mean a motor vehicle or combination of motor vehicles used to transport passengers or property that has a gross combination weight or a gross combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight or a gross vehicle weight rating of more than 10,000 pounds, or that has a gross vehicle or a gross vehicle weight rating of 26,001 or more pounds. The bill also reenacts Section 522.072(a), Transportation Code, relating to certain circumstances under which an employer may not permit a person to drive a commercial motor vehicle.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 522.003(5), Transportation Code, to redefine "commercial motor vehicle."

SECTION 2. Reenacts Section 522.072(a), Transportation Code, as amended by Chapters 13 (S.B. 332) and 424 (S.B. 1372), Acts of the 80th Legislature, Regular Session, 2007, to prohibit an employer from knowingly permitting a person to drive a commercial vehicle during a period in which the person has been denied the privilege of driving a commercial motor vehicle; the person is disqualified from driving a commercial motor vehicle; the person, the person's employer, or the vehicle being operated is subject to an out-of-service order in a state; or the person has more than one commercial driver's license, except during the 10-day period beginning on the date the person is issued a driver's license.

SECTION 3. Effective date: September 1, 2009.