

## BILL ANALYSIS

Senate Research Center

S.B. 1373  
By: Lucio  
International Relations & Trade  
3/29/2009  
As Filed

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

Currently, the Overweight Corridor Program (program) provides an optional procedure for the issuance of a permit for the movement of oversize or overweight vehicles carrying cargo on state highways located in counties contiguous to the Gulf of Mexico and bordering the United Mexican States. Proceeds from the fee have been used to administer, repair, maintain, and upgrade the state roads used in the program. The program was established in 1997, on an interim basis and, due to its success and excellent safety history, has been extended by the 76th, 78th, and 79th Legislatures.

As proposed, S.B. 1373 repeals the provisions providing for the expiration of the Overweight Corridor Program.

### 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. (a) Amends Section 623.214(b), Transportation Code, as follows:

(b) Requires that fees collected under Subsection (a), minus administrative costs, be used solely to provide funds for the maintenance and improvement of state highways subject to this subchapter. Authorizes the administrative costs, which are prohibited from exceeding 15 percent of the fees collected, to be retained by the port authority. Requires the fees, rather than such fees, less administrative costs, to be deposited in State Highway Fund 6. Deletes existing text requiring that fees collected under Subsection (a) be used solely to provide funds for the payments provided for under Section 623.213 (Maintenance Contracts) less administrative costs which are prohibited from exceeding 15 percent of the fees collected.

(b) Repealer: Section 623.213 (Maintenance Contracts), Transportation Code.

Repealer: Section 623.219 (Expiration), Transportation Code.

SECTION 2. Reenacts Subchapter K, Chapter 623, Transportation Code, and amends it as follows:

#### SUBCHAPTER K. PORT AUTHORITY PERMITS

Sec. 623.210. OPTIONAL PROCEDURE. Makes no changes to this section.

Sec. 623.211. DEFINITION. Makes no changes to this section.

Sec. 623.212. PERMITS BY PORT AUTHORITY. Makes no changes to this section.

Sec. 623.213. PERMIT FEES. (a) Deletes existing Section 623.213 (Maintenance Contracts). Redesignates Section 623.214 as Section 623.213. Makes no changes to this subsection.

(b) Requires that fees collected under Subsection (a), minus administrative costs, be used solely to provide funds for the maintenance and improvement of state highways subject to this subchapter. Authorizes the administrative costs, which are prohibited from exceeding 15 percent of the fees collected, to be retained by the port authority. Requires that the fees, rather than such fees, less administrative costs, be deposited in State Highway Fund 6. Deletes existing text requiring that fees collected under Subsection (a) be used solely to provide funds for the payments provided for under Section 623.213 less administrative costs which are prohibited from exceeding 15 percent of the fees collected.

Sec. 623.214. PERMIT REQUIREMENTS. (a) Redesignates Section 623.215 as Section 623.214. Makes no changes to this subsection.

(b) Makes no changes to this subsection.

Sec. 623.215. TIME OF MOVEMENT. Redesignates Section 623.216 as Section 623.215. Makes no changes to this section.

Sec. 623.216. SPEED LIMIT. Redesignates Section 623.217 as Sec. 623.216. Makes no changes to this section.

Sec. 623.217. ENFORCEMENT. Redesignates Section 623.218 as Section 623.217. Makes no changes to this section. Deletes existing Section 623.219 (Expiration).

SECTION 3. (a) Provides that Section 1 of this Act takes effect only if this Act takes effect on or before June 1, 2009.

(b) Provides that Section 2 of this Act takes effect only if this Act takes effect on or after June 2, 2009.

SECTION 4. Effective date: upon passage or September 1, 2009.