

By: Oliveira

H.B. No. 2117

A BILL TO BE ENTITLED

AN ACT

relating to the continuation of the law authorizing the issuance of
oversize or overweight vehicle permits by certain port authorities.

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

SECTION 1. Section 623.219, Transportation Code, is amended
to read as follows:

Sec. 623.219. EXPIRATION. This subchapter expires
September 1, 2015 [~~June 1, 2009~~].

SECTION 2. Subchapter K, Chapter 623, Transportation Code,
is reenacted and amended to read as follows:

SUBCHAPTER K. PORT AUTHORITY PERMITS

Sec. 623.210. OPTIONAL PROCEDURE. This subchapter 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 or a bay or
inlet opening into the gulf and bordering the United Mexican
States.

Sec. 623.211. DEFINITION. In this subchapter, "port
authority" means a port authority created or operating under
Section 52, Article III, or Section 59, Article XVI, Texas
Constitution.

Sec. 623.212. PERMITS BY PORT AUTHORITY. The department
may authorize a port authority to issue permits for the movement of
oversize or overweight vehicles carrying cargo on state highways

1 located in counties contiguous to the Gulf of Mexico or a bay or
2 inlet opening into the gulf and bordering the United Mexican
3 States.

4 Sec. 623.213. MAINTENANCE CONTRACTS. A port authority
5 issuing permits under this subchapter shall make payments to the
6 department to provide funds for the maintenance of state highways
7 subject to this subchapter.

8 Sec. 623.214. PERMIT FEES. (a) A port authority may
9 collect a fee for permits issued under this subchapter. Such fees
10 shall not exceed \$80 per trip.

11 (b) Fees collected under Subsection (a) shall be used solely
12 to provide funds for the payments provided for under Section
13 623.213 less administrative costs which shall not exceed 15 percent
14 of the fees collected. Such fees shall be deposited in State
15 Highway Fund 6.

16 Sec. 623.215. PERMIT REQUIREMENTS. (a) A permit issued
17 under this subchapter must include:

18 (1) the name of the applicant;
19 (2) the date of issuance;
20 (3) the signature of the director of the port
21 authority;

22 (4) a statement of the kind of cargo being transported
23 over State Highways 48 and 4 between the Gateway International
24 Bridge and the entrance to the Port of Brownsville, or over State
25 Highways 48 and 4 and United States Highways 77 and 83 between
26 Veterans International Bridge at Los Tomates and the entrance to
27 the Port of Brownsville, the maximum weight and dimensions of the

1 equipment, and the kind and weight of each commodity to be
2 transported provided the gross weight of such equipment and
3 commodities shall not exceed 125,000 pounds;

4 (5) a statement of any condition on which the permit is
5 issued;

6 (6) a statement that the cargo shall be transported
7 over the most direct route from the Gateway International Bridge or
8 the Veterans International Bridge at Los Tomates to the entrance of
9 the Port of Brownsville using State Highways 48 and 4 or United
10 States Highways 77 and 83;

11 (7) the name of the driver of the vehicle in which the
12 cargo is to be transported; and

13 (8) the location where the cargo was loaded.

14 (b) A port authority shall report to the department all
15 permits issued under this subchapter.

16 Sec. 623.216. TIME OF MOVEMENT. A permit issued under this
17 subchapter shall specify the time in which movement authorized by
18 the permit is allowed.

19 Sec. 623.217. SPEED LIMIT. Movement authorized by a permit
20 issued under this subchapter shall not exceed the posted speed
21 limit or 55 miles per hour, whichever is less. Violation of this
22 provision shall constitute a moving violation.

23 Sec. 623.218. ENFORCEMENT. The Department of Public Safety
24 shall have authority to enforce the provisions of this subchapter.

25 Sec. 623.219. EXPIRATION. This subchapter expires
26 September 1, 2015 [~~June 1, 2009~~].

27 SECTION 3. (a) Section 623.219, Transportation Code, as

1 amended by Section 1 of this Act, takes effect only if this Act
2 takes effect on or before June 1, 2009.

3 (b) Subchapter K, Chapter 623, Transportation Code, as
4 reenacted and amended by Section 2 of this Act, takes effect only if
5 this Act does not take effect on or before June 1, 2009.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2009.