

By: Hunter

H.B. No. 2604

Substitute the following for H.B. No. 2604:

By: Pickett

C.S.H.B. No. 2604

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of certain permits for overweight vehicles.

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

SECTION 1. Chapter 623, Transportation Code, is amended by adding Subchapters O and P to read as follows:

SUBCHAPTER O. PORT OF CORPUS CHRISTI AUTHORITY ROADWAY PERMITS

Sec. 623.280. OPTIONAL PROCEDURE. This subchapter provides an optional procedure for the issuance of a permit by the Port of Corpus Christi Authority for the movement of oversize or overweight vehicles carrying cargo on a roadway owned and maintained by the Port of Corpus Christi Authority that is located in San Patricio County or Nueces County.

Sec. 623.281. DEFINITION. In this subchapter, "port authority" means the Port of Corpus Christi Authority.

Sec. 623.282. ISSUANCE OF PERMITS. The port authority may issue permits for the movement of oversize or overweight vehicles carrying cargo on a roadway owned and maintained by the port authority that is located in San Patricio County or Nueces County. A permit issued under this subchapter is in addition to other permits required by law.

Sec. 623.283. PERMIT FEES. (a) The port authority may collect a fee for permits issued under this subchapter. The fees may not exceed \$80 per trip.

1        (b) Fees collected under Subsection (a) shall be used solely  
2 for the construction and maintenance of port authority roadways.

3        Sec. 623.284. PERMIT REQUIREMENTS. A permit issued under  
4 this subchapter must include:

5            (1) the name of the applicant;

6            (2) the date of issuance;

7            (3) the signature of the manager of transportation of  
8 the port authority;

9            (4) a statement of the kind of cargo being  
10 transported, the maximum weight and dimensions of the equipment,  
11 and the kind and weight of each commodity to be transported;

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

14           (6) a statement that the cargo may only be transported  
15 on roadways that are owned and maintained by the port authority and  
16 located in San Patricio County or Nueces County; and

17           (7) the location where the cargo was loaded.

18        Sec. 623.285. TIME OF MOVEMENT. A permit issued under this  
19 subchapter must specify the time in which movement authorized by  
20 the permit is allowed.

21        Sec. 623.286. SPEED LIMIT. Movement authorized by a permit  
22 issued under this subchapter may not exceed the posted speed limit  
23 or 55 miles per hour, whichever is less. Violation of this  
24 provision shall constitute a moving violation.

25        Sec. 623.287. ENFORCEMENT. The Department of Public Safety  
26 shall have authority to enforce the provisions of this subchapter.

27        Sec. 623.288. RULES. The Texas Transportation Commission

1 may adopt rules necessary to implement this subchapter.

2 SUBCHAPTER P. PORT OF CORPUS CHRISTI AUTHORITY SPECIAL FREIGHT  
3 CORRIDOR PERMITS

4 Sec. 623.301. OPTIONAL PROCEDURE. This subchapter provides  
5 an optional procedure for the issuance of a permit by the Port of  
6 Corpus Christi Authority for the movement of oversize or overweight  
7 vehicles carrying cargo on a state highway special freight corridor  
8 located in San Patricio County.

9 Sec. 623.302. DEFINITIONS. In this subchapter:

10 (1) "Port authority" means the Port of Corpus Christi  
11 Authority; and

12 (2) "Special freight corridor" means a highway built  
13 by this state specifically for the movement of oversize or  
14 overweight vehicles carrying cargo in San Patricio County to and  
15 from the port authority's La Quinta terminal.

16 Sec. 623.303. ISSUANCE OF PERMITS. The Texas  
17 Transportation Commission may authorize the port authority to issue  
18 permits for the movement of oversize or overweight vehicles  
19 carrying cargo on state highway special freight corridors located  
20 in San Patricio County. The port authority may issue a permit under  
21 this subchapter only if the cargo being transported weighs 125,000  
22 pounds or less.

23 Sec. 623.304. MAINTENANCE CONTRACTS. The port authority  
24 shall make payments to the department to provide funds for the  
25 maintenance of state highways subject to this subchapter.

26 Sec. 623.305. PERMIT FEES. (a) The port authority may  
27 collect a fee for permits issued under this subchapter. The fees

1 may not exceed \$80 per trip.

2 (b) Fees collected under Subsection (a) shall be used solely  
3 to provide funds for the payments provided for under Section  
4 623.304 and for the port authority's administrative costs, which  
5 may not exceed 15 percent of the fees collected. The fees shall be  
6 deposited in the state highway fund. Fees deposited in the state  
7 highway fund under this section are exempt from the application of  
8 Section 403.095, Government Code.

9 Sec. 623.306. PERMIT REQUIREMENTS. (a) A permit issued  
10 under this subchapter must include:

11 (1) the name of the applicant;

12 (2) the date of issuance;

13 (3) the signature of the manager of transportation of  
14 the port authority;

15 (4) a statement of the kind of cargo being  
16 transported, the maximum weight and dimensions of the equipment,  
17 and the kind and weight of each commodity to be transported;

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

20 (6) a statement that the cargo may only be transported  
21 to and from the port authority's La Quinta terminal in San Patricio  
22 County using a state highway special freight corridor in San  
23 Patricio County; and

24 (7) the location where the cargo was loaded.

25 (b) The port authority shall report to the department all  
26 permits issued under this subchapter.

27 Sec. 623.307. TIME OF MOVEMENT. A permit issued under this

1 subchapter must specify the time in which movement authorized by  
2 the permit is allowed.

3 Sec. 623.308. SPEED LIMIT. Movement authorized by a permit  
4 issued under this subchapter may not exceed the posted speed limit  
5 or 55 miles per hour, whichever is less. Violation of this  
6 provision shall constitute a moving violation.

7 Sec. 623.309. ENFORCEMENT. The Department of Public Safety  
8 may enforce the provisions of this subchapter.

9 Sec. 623.310. RULES. The Texas Transportation Commission  
10 may adopt rules necessary to implement this subchapter.

11 SECTION 2. This Act takes effect September 1, 2009.