

By: Hunter

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 Subchapter O to read as follows:

SUBCHAPTER O. PORT OF CORPUS CHRISTI AUTHORITY 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 state highways located in San Patricio County.

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

Sec. 623.282. ISSUANCE OF PERMITS. The Texas Transportation Commission may authorize the port authority to issue permits for the movement of oversize or overweight vehicles carrying cargo on state highways located in San Patricio County or Nueces County, with the consent of the appropriate county's commissioners court.

Sec. 623.283. MAINTENANCE CONTRACTS. The port authority shall make payments to the department to provide funds for the maintenance of state highways subject to this subchapter.

Sec. 623.284. PERMIT FEES. (a) The port authority may

1 collect a fee for permits issued under this subchapter. The fees  
2 may not exceed \$80 per trip.

3 (b) Fees collected under Subsection (a) shall be used solely  
4 to provide funds for the payments provided for under Section  
5 623.283 and for the port authority's administrative costs, which  
6 may not exceed 15 percent of the fees collected. The fees shall be  
7 deposited in the state highway fund. Fees deposited in the state  
8 highway fund under this section are exempt from the application of  
9 Section 403.095, Government Code.

10 Sec. 623.285. PERMIT REQUIREMENTS. (a) A permit issued  
11 under this subchapter must include:

12 (1) the name of the applicant;

13 (2) the date of issuance;

14 (3) the signature of the director of the port  
15 authority;

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

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

21 (6) a statement that the cargo may only be transported  
22 to and from the port authority's terminal on the La Quinta Channel  
23 in San Patricio County using a state highway in San Patricio County  
24 or Nueces County that has been approved for use under this  
25 subchapter by the appropriate county's commissioners court under  
26 Section 623.282; and

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

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

3        Sec. 623.286. TIME OF MOVEMENT. A permit issued under this  
4 subchapter must specify the time in which movement authorized by  
5 the permit is allowed.

6        Sec. 623.287. SPEED LIMIT. Movement authorized by a permit  
7 issued under this subchapter may not exceed the posted speed limit  
8 or 55 miles per hour, whichever is less. Violation of this  
9 provision shall constitute a moving violation.

10       Sec. 623.288. ENFORCEMENT. The Department of Public Safety  
11 shall have authority to enforce the provisions of this subchapter.

12       Sec. 623.289. RULES. The Texas Transportation Commission  
13 may adopt rules necessary to implement this subchapter.

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