

AN ACT

relating to the operation of commercial motor vehicles and vehicles used exclusively to transport waste.

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

SECTION 1. Subdivision (5), Section 522.003, Transportation Code, is amended to read as follows:

(5) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used to transport passengers or property that:

(A) 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;

(B) has a gross vehicle weight or a gross vehicle weight rating of 26,001 or more pounds;

(C) is designed to transport 16 or more passengers, including the driver; or

(D) is transporting hazardous materials and is required to be placarded under 49 C.F.R. Part 172, Subpart F.

SECTION 2. Subsection (a), Section 522.072, Transportation Code, as amended by Chapters 13 (S.B. 332) and 424 (S.B. 1372), Acts of the 80th Legislature, Regular Session, 2007, is reenacted to read as follows:

(a) An employer may not knowingly permit a person to drive a

1 commercial motor vehicle during a period in which:

2 (1) the person has been denied the privilege of
3 driving a commercial motor vehicle;

4 (2) the person is disqualified from driving a
5 commercial motor vehicle;

6 (3) the person, the person's employer, or the vehicle
7 being operated is subject to an out-of-service order in a state; or

8 (4) the person has more than one commercial driver's
9 license, except during the 10-day period beginning on the date the
10 person is issued a driver's license.

11 SECTION 3. Subsection (b), Section 545.301, Transportation
12 Code, is amended to read as follows:

13 (b) This section does not apply to an operator of:

14 (1) a vehicle that is disabled while on the paved or
15 main traveled part of a highway if it is impossible to avoid
16 stopping and temporarily leaving the vehicle on the highway; or

17 (2) a vehicle used exclusively to transport solid,
18 semisolid, or liquid waste operated at the time in connection with
19 the removal or transportation of solid, semisolid, or liquid waste
20 from a location adjacent to the highway.

21 SECTION 4. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1093 passed the Senate on April 23, 2009, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 29, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1093 passed the House, with amendment, on May 26, 2009, by the following vote: Yeas 144, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor