

1-1 By: Hinojosa S.B. No. 1571
1-2 (In the Senate - Filed March 10, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; April 21, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 April 21, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1571 By: Shapleigh

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the issuance of certain permits for overweight
1-11 vehicles.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 623, Transportation Code, is amended by
1-14 adding Subchapters O and P to read as follows:

1-15 SUBCHAPTER O. PORT OF CORPUS CHRISTI AUTHORITY ROADWAY PERMITS

1-16 Sec. 623.280. OPTIONAL PROCEDURE. This subchapter provides
1-17 an optional procedure for the issuance of a permit by the Port of
1-18 Corpus Christi Authority for the movement of oversize or overweight
1-19 vehicles carrying cargo on a roadway owned and maintained by the
1-20 Port of Corpus Christi Authority that is located in San Patricio
1-21 County or Nueces County.

1-22 Sec. 623.281. DEFINITION. In this subchapter, "port
1-23 authority" means the Port of Corpus Christi Authority.

1-24 Sec. 623.282. ISSUANCE OF PERMITS. The port authority may
1-25 issue permits for the movement of oversize or overweight vehicles
1-26 carrying cargo on a roadway owned and maintained by the port
1-27 authority that is located in San Patricio County or Nueces County.
1-28 A permit issued under this subchapter is in addition to other
1-29 permits required by law.

1-30 Sec. 623.283. PERMIT FEES. (a) The port authority may
1-31 collect a fee for permits issued under this subchapter. The fees
1-32 may not exceed \$80 per trip.

1-33 (b) Fees collected under Subsection (a) shall be used solely
1-34 for the construction and maintenance of port authority roadways.

1-35 Sec. 623.284. PERMIT REQUIREMENTS. A permit issued under
1-36 this subchapter must include:

1-37 (1) the name of the applicant;

1-38 (2) the date of issuance;

1-39 (3) the signature of the manager of transportation of
1-40 the port authority;

1-41 (4) a statement of the kind of cargo being
1-42 transported, the maximum weight and dimensions of the equipment,
1-43 and the kind and weight of each commodity to be transported;

1-44 (5) a statement of any condition on which the permit is
1-45 issued;

1-46 (6) a statement that the cargo may only be transported
1-47 on roadways that are owned and maintained by the port authority and
1-48 located in San Patricio County or Nueces County; and

1-49 (7) the location where the cargo was loaded.

1-50 Sec. 623.285. TIME OF MOVEMENT. A permit issued under this
1-51 subchapter must specify the time in which movement authorized by
1-52 the permit is allowed.

1-53 Sec. 623.286. SPEED LIMIT. Movement authorized by a permit
1-54 issued under this subchapter may not exceed the posted speed limit
1-55 or 55 miles per hour, whichever is less. Violation of this
1-56 provision shall constitute a moving violation.

1-57 Sec. 623.287. ENFORCEMENT. The Department of Public Safety
1-58 shall have authority to enforce the provisions of this subchapter.

1-59 Sec. 623.288. RULES. The Texas Transportation Commission
1-60 may adopt rules necessary to implement this subchapter.

1-61 SUBCHAPTER P. PORT OF CORPUS CHRISTI AUTHORITY SPECIAL FREIGHT
1-62 CORRIDOR PERMITS

1-63 Sec. 623.301. OPTIONAL PROCEDURE. This subchapter provides

2-1 an optional procedure for the issuance of a permit by the Port of
2-2 Corpus Christi Authority for the movement of oversize or overweight
2-3 vehicles carrying cargo on a state highway special freight corridor
2-4 located in San Patricio County.

2-5 Sec. 623.302. DEFINITIONS. In this subchapter:

2-6 (1) "Port authority" means the Port of Corpus Christi
2-7 Authority; and

2-8 (2) "Special freight corridor" means a highway built
2-9 by this state specifically for the movement of oversize or
2-10 overweight vehicles carrying cargo in San Patricio County to and
2-11 from the port authority's La Quinta terminal.

2-12 Sec. 623.303. ISSUANCE OF PERMITS. The Texas
2-13 Transportation Commission may authorize the port authority to issue
2-14 permits for the movement of oversize or overweight vehicles
2-15 carrying cargo on state highway special freight corridors located
2-16 in San Patricio County. The port authority may issue a permit under
2-17 this subchapter only if the cargo being transported weighs 125,000
2-18 pounds or less.

2-19 Sec. 623.304. MAINTENANCE CONTRACTS. The port authority
2-20 shall make payments to the department to provide funds for the
2-21 maintenance of state highways subject to this subchapter.

2-22 Sec. 623.305. PERMIT FEES. (a) The port authority may
2-23 collect a fee for permits issued under this subchapter. The fees
2-24 may not exceed \$80 per trip.

2-25 (b) Fees collected under Subsection (a) shall be used solely
2-26 to provide funds for the payments provided for under Section
2-27 623.304 and for the port authority's administrative costs, which
2-28 may not exceed 15 percent of the fees collected. The fees shall be
2-29 deposited in the state highway fund. Fees deposited in the state
2-30 highway fund under this section are exempt from the application of
2-31 Section 403.095, Government Code.

2-32 Sec. 623.306. PERMIT REQUIREMENTS. (a) A permit issued
2-33 under this subchapter must include:

2-34 (1) the name of the applicant;

2-35 (2) the date of issuance;

2-36 (3) the signature of the manager of transportation of
2-37 the port authority;

2-38 (4) a statement of the kind of cargo being
2-39 transported, the maximum weight and dimensions of the equipment,
2-40 and the kind and weight of each commodity to be transported;

2-41 (5) a statement of any condition on which the permit is
2-42 issued;

2-43 (6) a statement that the cargo may only be transported
2-44 to and from the port authority's La Quinta terminal in San Patricio
2-45 County using a state highway special freight corridor in San
2-46 Patricio County; and

2-47 (7) the location where the cargo was loaded.

2-48 (b) The port authority shall report to the department all
2-49 permits issued under this subchapter.

2-50 Sec. 623.307. TIME OF MOVEMENT. A permit issued under this
2-51 subchapter must specify the time in which movement authorized by
2-52 the permit is allowed.

2-53 Sec. 623.308. SPEED LIMIT. Movement authorized by a permit
2-54 issued under this subchapter may not exceed the posted speed limit
2-55 or 55 miles per hour, whichever is less. Violation of this
2-56 provision shall constitute a moving violation.

2-57 Sec. 623.309. ENFORCEMENT. The Department of Public Safety
2-58 may enforce the provisions of this subchapter.

2-59 Sec. 623.310. RULES. The Texas Transportation Commission
2-60 may adopt rules necessary to implement this subchapter.

2-61 SECTION 2. This Act takes effect September 1, 2009.

2-62 * * * * *