

By: Pickett

H.B. No. 1538

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain fees imposed in connection with the operation
3 of overweight and oversize vehicles.

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

5 SECTION 1. Subchapter A, Chapter 623, Transportation Code,
6 is amended by adding Section 623.002 to read as follows:

7 Sec. 623.002. EVALUATION OF PERMIT FEES. (a) The
8 department shall evaluate highway use in this state by oversize or
9 overweight vehicles, calculate the cost of damage to highways in
10 this state caused by those vehicles, and determine whether:

11 (1) the fees charged for permits issued under this
12 chapter are adequate to offset the costs of damage to highways
13 caused by those vehicles and recommend any fee adjustments for the
14 permits to reflect the costs of damage to highways caused by those
15 vehicles; and

16 (2) vehicles currently exempt from permit
17 requirements under this chapter should be required to obtain a
18 permit to operate on roads or highways in this state.

19 (b) Not later than October 1 of each even-numbered year, the
20 department shall report its findings to:

21 (1) the Legislative Budget Board; and

22 (2) the governor.

23 SECTION 2. Section 623.077, Transportation Code, is amended
24 to read as follows:

1 Sec. 623.077. HIGHWAY MAINTENANCE FEE. (a) An applicant
 2 for a permit under this subchapter, other than a permit under
 3 Section 623.071(c)(3), must also pay a highway maintenance fee in
 4 an amount determined according to vehicle weight and distance
 5 traveled. [~~the following table.~~

Vehicle Weight in Pounds	Fee
[80,001 to 120,000	\$150
[120,001 to 160,000	\$225
[160,001 to 200,000	\$300
[200,001 and above	\$375]

11 (b) The department shall adopt rules to implement this
 12 section and establish a schedule of rates, based on miles traveled,
 13 for all vehicle weight categories that provides for an increase in
 14 the rates according to the weight of a vehicle.

15 (c) The department shall send each fee collected under
 16 Subsection (a) to the comptroller for deposit to the credit of the
 17 state highway fund.

18 SECTION 3. (a) The Texas Department of Transportation
 19 shall adopt rules implementing Section 623.077, Transportation
 20 Code, as amended by this Act, not later than January 1, 2012.

21 (b) Section 623.077(a), Transportation Code, as amended by
 22 this Act, applies only to an application for a permit submitted
 23 under Subchapter D, Chapter 623, Transportation Code, to the Texas
 24 Department of Transportation on or after January 1, 2012. An
 25 application for a permit submitted before January 1, 2012, is
 26 governed by the law in effect on the date the application was
 27 submitted, and that law is continued in effect for that purpose.

1 SECTION 4. This Act takes effect September 1, 2011.