

By: Aliseda

H.B. No. 1795

Substitute the following for H.B. No. 1795:

By: Rodriguez

C.S.H.B. No. 1795

A BILL TO BE ENTITLED

AN ACT

relating to permits issued for moving certain oil well servicing or drilling machinery.

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

SECTION 1. Section 623.142, Transportation Code, is amended by adding Subsections (a-1) and (c) and amending Subsection (b) to read as follows:

(a-1) The department may include a trailer on a permit issued under this section if:

(1) the registration fee required by Section 502.166 for the trailer is paid for the current registration year;

(2) the gross weight authorized by the permit does not exceed 86,000 pounds; and

(3) the axle weights authorized by the permit comply with the requirements prescribed by Section 621.101.

(b) The department may not issue a permit under this section unless the vehicle or vehicle combination may be moved without material damage to the highway or serious inconvenience to highway traffic.

(c) A permit issued under Subsection (a-1) does not authorize the operation of a vehicle or vehicle combination on the national system of interstate and defense highways in this state.

SECTION 2. Section 623.143, Transportation Code, is amended to read as follows:

1           Sec. 623.143. DESIGNATED ROUTE IN MUNICIPALITY. (a) A  
2 municipality having a state highway in its territory may designate  
3 to the department the route in the municipality to be used by a  
4 vehicle or vehicle combination described by Section 623.142  
5 operating over the state highway. When the route is designated, the  
6 department shall show the route on each map routing the vehicles or  
7 vehicle combinations.

8           (b) If a municipality does not designate a route, the  
9 department shall determine the route to be used by a vehicle or  
10 vehicle combination on a state highway in the municipality.

11           (c) A municipality may not require a fee, permit, or license  
12 for movement of vehicles or vehicle combinations on the route of a  
13 state highway designated by the municipality or department.

14           SECTION 3. Section 623.145(b), Transportation Code, is  
15 amended to read as follows:

16           (b) In adopting a rule or establishing a fee, the commission  
17 shall consider and be guided by:

18                   (1) the state's investment in its highway system;

19                   (2) the safety and convenience of the general  
20 traveling public;

21                   (3) the registration or license fee paid on the  
22 vehicles [~~vehicle~~] for which the permit is requested;

23                   (4) the fees paid by vehicles operating within legal  
24 limits;

25                   (5) the suitability of roadways and subgrades on the  
26 various classes of highways of the system;

27                   (6) the variation in soil grade prevalent in the

1 different regions of the state;

2 (7) the seasonal effects on highway load capacity;

3 (8) the highway shoulder design and other highway  
4 geometrics;

5 (9) the load capacity of the highway bridges;

6 (10) administrative costs;

7 (11) added wear on highways; and

8 (12) compensation for inconvenience and necessary  
9 delays to highway users.

10 SECTION 4. Section 623.146, Transportation Code, is amended  
11 to read as follows:

12 Sec. 623.146. VIOLATION OF RULE. A permit under this  
13 subchapter is void on the failure of an owner or the owner's  
14 representative to comply with a rule of the commission or with a  
15 condition placed on the permit, and immediately on the violation,  
16 further movement over the highway of an oversize or overweight  
17 vehicle or vehicle combination violates the law regulating the size  
18 or weight of a vehicle or vehicle combination on a public highway.

19 SECTION 5. Section 623.148(b), Transportation Code, is  
20 amended to read as follows:

21 (b) The owner of a vehicle or vehicle combination involved  
22 in the movement of an oversize or overweight vehicle or vehicle  
23 combination, even if a permit has been issued for the movement, is  
24 strictly liable for any damage the movement causes the highway  
25 system or any of its structures or appurtenances.

26 SECTION 6. This Act takes effect September 1, 2011.