

By: Legler

H.B. No. 2240

A BILL TO BE ENTITLED

AN ACT

relating to an optional procedure for the issuance of a permit by a certain county for the movement of oversize or overweight vehicles.

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

SECTION 1. Chapter 623, Transportation Code, is amended by adding Subchapter Q to read as follows:

SUBCHAPTER Q. HARRIS COUNTY PERMITS

Sec. 623.320. OPTIONAL PROCEDURE. This subchapter provides an optional procedure for the issuance of a permit by Harris County for the movement of oversize or overweight vehicles carrying cargo on certain state highways located in Harris County.

Sec. 623.321. DEFINITION. In this subchapter, "county" means Harris County.

Sec. 623.322. ISSUANCE OF PERMITS. (a) The Texas Transportation Commission may authorize the county to issue permits for the movement of oversize or overweight vehicles carrying cargo on state highways located in the county.

(b) A permit issued under this subchapter may authorize:

(1) the transport of cargo only on the following roads in the county:

(A) State Highway 146 between its intersection with Port Road and its intersection with State Highway 225; and

(B) State Highway 225 between its intersection with State Highway 146 and its intersection with Beltway 8; and

1 (2) the movement of equipment and commodities weighing
2 100,000 pounds or less.

3 Sec. 623.323. MAINTENANCE CONTRACTS. The county shall make
4 payments to the department to provide funds for the maintenance of
5 state highways subject to this subchapter.

6 Sec. 623.324. PERMIT FEES. (a) The county may collect a
7 fee for permits issued under this subchapter. The fee may not
8 exceed \$80 per trip.

9 (b) Fees collected under Subsection (a) may be used only to
10 provide funds for the payments under Section 623.323 and for the
11 county's administrative costs, which may not exceed 15 percent of
12 the fees collected. The fees shall be deposited in the state
13 highway fund. Fees deposited in the state highway fund under this
14 section are exempt from the application of Section 403.095,
15 Government Code.

16 Sec. 623.325. PERMIT REQUIREMENTS. (a) A permit issued
17 under this subchapter must include:

18 (1) the name of the applicant;
19 (2) the date of issuance;
20 (3) the signature of the designated agent for the
21 county;

22 (4) a statement of the kind of cargo being
23 transported, the maximum weight and dimensions of the equipment,
24 and the kind and weight of each commodity to be transported;

25 (5) a statement of any condition on which the permit is
26 issued;

27 (6) a statement that the cargo may be transported in

1 the county only over the roads described by Section 623.322(b)(1);
2 and

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

4 (b) The county shall report to the department all permits
5 issued under this subchapter.

6 Sec. 623.326. TIME OF MOVEMENT. A permit issued under this
7 subchapter must specify the time during which movement authorized
8 by the permit is allowed.

9 Sec. 623.327. SPEED LIMIT. Movement authorized by a permit
10 issued under this subchapter may not exceed the posted speed limit
11 or 55 miles per hour, whichever is less. A violation of this
12 provision constitutes a moving violation.

13 Sec. 623.328. ENFORCEMENT. The Department of Public Safety
14 has authority to enforce this subchapter.

15 Sec. 623.329. RULES. The Texas Transportation Commission
16 may adopt rules necessary to implement this subchapter.

17 SECTION 2. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2011.