

By: Davis

S.B. No. 556

A BILL TO BE ENTITLED

AN ACT

relating to a highway maintenance fee imposed in connection with the operation of overweight vehicles or vehicle combinations.

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

SECTION 1. Subchapter A, Chapter 623, Transportation Code, is amended by adding Section 623.003 to read as follow:

Sec. 623.003. HIGHWAY MAINTENANCE FEE FOR OPERATION OF OVERWEIGHT VEHICLE UNDER PERMIT. (a) An applicant for a permit issued by the department under this chapter must pay, in addition to any other fee required by this chapter, a highway maintenance fee if the vehicle or vehicle combination exceeds the weights authorized under Subchapter B, Chapter 621.

(b) The Texas Transportation Commission shall adopt rules to implement this section and establish a schedule of rates for the highway maintenance fee, based on miles traveled, that provides for graduated rates according to:

(1) the weight of the vehicle or vehicle combination;
and

(2) the amount of damage done by the vehicle or vehicle combination to roads and bridges.

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

SECTION 2. Section 623.077, Transportation Code, is

1 repealed.

2 SECTION 3. (a) The Texas Transportation Commission shall
3 adopt rules implementing Section 623.003, Transportation Code, as
4 added by this Act, not later than January 1, 2012.

5 (b) Section 623.003(a), Transportation Code, as added by
6 this Act, applies only to an application for a permit submitted
7 under Chapter 623, Transportation Code, to the Texas Department of
8 Transportation on or after January 1, 2012. An application for a
9 permit submitted before January 1, 2012, is governed by the law in
10 effect on the date the application was submitted, and that former
11 law is continued in effect for that purpose.

12 SECTION 4. (a) Except as provided by Subsection (b) of
13 this section, this Act takes effect September 1, 2011.

14 (b) Section 2 of this Act takes effect January 1, 2012.