

By: Munoz, Jr., Guerra

H.B. No. 474

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an optional procedure for the issuance of a permit by
3 certain governmental entities for the movement of oversize or
4 overweight vehicles carrying agricultural products; authorizing a
5 fee.

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

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

9 SUBCHAPTER Q. CERTAIN PERMITS FOR AGRICULTURAL PRODUCTS

10 Sec. 623.320. OPTIONAL PROCEDURE. This subchapter provides
11 an optional procedure for the issuance of a permit by a governmental
12 entity for the movement of oversize or overweight vehicles carrying
13 agricultural products on certain roads located in Hidalgo County.

14 Sec. 623.321. DEFINITION. In this subchapter,
15 "governmental entity" means a governmental entity that agrees to
16 issue permits under Section 623.322.

17 Sec. 623.322. ISSUANCE OF PERMITS. (a) The commission may
18 authorize a governmental entity to issue permits for the movement
19 of oversize or overweight vehicles carrying agricultural products
20 in Hidalgo County on:

21 (1) the following roads:

22 (A) U.S. Highway 281 between its intersection
23 with the Pharr-Reynosa International Bridge and its intersection
24 with State Highway 336;

1 (B) State Highway 336 between its intersection
2 with U.S. Highway 281 and its intersection with Farm-to-Market Road
3 1016;

4 (C) Farm-to-Market Road 1016 between its
5 intersection with State Highway 336 and its intersection with
6 Farm-to-Market Road 396;

7 (D) Farm-to-Market Road 396 between its
8 intersection with Farm-to-Market Road 1016 and its intersection
9 with the Anzalduas International Bridge;

10 (E) Farm-to-Market Road 2061 between its
11 intersection with Farm-to-Market Road 3072 and its intersection
12 with U.S. Highway 281;

13 (F) U.S. Highway 281 between its intersection
14 with the Pharr-Reynosa International Bridge and its intersection
15 with Spur 29;

16 (G) Spur 29 between its intersection with U.S.
17 Highway 281 and its intersection with Doffin Canal Road; and

18 (H) Doffin Canal Road between its intersection
19 with the Pharr-Reynosa International Bridge and its intersection
20 with Spur 29; or

21 (2) another route designated by the commission in
22 consultation with the governmental entity.

23 (b) The governmental entity authorized under this section
24 must serve the same geographic location as the roads over which the
25 permit is valid.

26 Sec. 623.323. PERMIT FEES. (a) The governmental entity may
27 collect a fee for permits issued under this subchapter. Beginning

1 September 1, 2013, the maximum amount of the fee may not exceed \$80
2 per trip. On September 1 of each subsequent year, the governmental
3 entity may adjust the maximum fee amount as necessary to reflect the
4 percentage change during the preceding year in the Consumer Price
5 Index for All Urban Consumers (CPI-U), U.S. City Average, published
6 monthly by the United States Bureau of Labor Statistics or its
7 successor in function.

8 (b) Fees collected under Subsection (a) shall be used only
9 for the construction and maintenance of the roads described by or
10 designated under Section 623.322 and for the governmental entity's
11 administrative costs, which may not exceed 15 percent of the fees
12 collected. The governmental entity shall make payments to the
13 Texas Department of Transportation to provide funds for the
14 maintenance of roads and highways subject to this subchapter.

15 Sec. 623.324. PERMIT REQUIREMENTS. (a) A permit issued
16 under this subchapter must include:

17 (1) the name of the applicant;
18 (2) the date of issuance;
19 (3) the signature of the designated agent for the
20 governmental entity;

21 (4) a statement of the weight and dimensions of the
22 vehicle and the kind and weight of each agricultural product to be
23 transported;

24 (5) a statement:
25 (A) that the gross weight of the vehicle for
26 which a permit is issued may not exceed 125,000 pounds; and

27 (B) of any other condition on which the permit is

1 issued;

2 (6) a statement that the agricultural products may be
3 transported in Hidalgo County only over the roads described by or
4 designated under Section 623.322; and

5 (7) the location where the agricultural products were
6 loaded.

7 (b) The governmental entity shall report to the department
8 all permits issued under this subchapter.

9 Sec. 623.325. TIME OF MOVEMENT. A permit issued under this
10 subchapter must specify the time during which movement authorized
11 by the permit is allowed.

12 Sec. 623.326. SPEED LIMIT. Movement authorized by a permit
13 issued under this subchapter may not exceed the posted speed limit
14 or 55 miles per hour, whichever is less. A violation of this
15 provision constitutes a moving violation.

16 Sec. 623.327. ENFORCEMENT. The Department of Public Safety
17 has authority to enforce this subchapter.

18 Sec. 623.328. RULES. The commission may adopt rules
19 necessary to implement this subchapter.

20 SECTION 2. This Act takes effect September 1, 2013.