

AN ACT

relating to an optional procedure for the issuance of a permit by a certain regional mobility authority for the movement of oversize or overweight vehicles carrying cargo; authorizing a fee.

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. REGIONAL MOBILITY AUTHORITY PERMITS

Sec. 623.320. OPTIONAL PROCEDURE. This subchapter provides an optional procedure for the issuance of a permit by a regional mobility authority for the movement of oversize or overweight vehicles carrying cargo on certain roads located in Hidalgo County.

Sec. 623.321. DEFINITION. In this subchapter, "authority" means the regional mobility authority authorized to issue permits under Section 623.322.

Sec. 623.322. ISSUANCE OF PERMITS. (a) The commission may authorize a regional mobility authority to issue permits for the movement of oversize or overweight vehicles carrying cargo in Hidalgo County on:

(1) the following roads:

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

(B) State Highway 336 between its intersection

1 with U.S. Highway 281 and its intersection with Farm-to-Market Road
2 1016;

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

6 (D) Trinity Road between its intersection with
7 Farm-to-Market Road 1016 and its intersection with Farm-to-Market
8 Road 396;

9 (E) Farm-to-Market Road 396 between its
10 intersection with Trinity Road and its intersection with the
11 Anzalduas International Bridge;

12 (F) Farm-to-Market Road 2061 between its
13 intersection with Farm-to-Market Road 3072 and its intersection
14 with U.S. Highway 281;

15 (G) U.S. Highway 281 between its intersection
16 with the Pharr-Reynosa International Bridge and its intersection
17 with Spur 29;

18 (H) Spur 29 between its intersection with U.S.
19 Highway 281 and its intersection with Doffin Canal Road; and

20 (I) Doffin Canal Road between its intersection
21 with the Pharr-Reynosa International Bridge and its intersection
22 with Spur 29; or

23 (2) another route designated by the commission in
24 consultation with the authority.

25 (b) The authority authorized under this section must serve
26 the same geographic location as the roads over which the permit is
27 valid.

1 Sec. 623.323. PERMIT FEES. (a) The authority may collect a
2 fee for permits issued under this subchapter. Beginning September
3 1, 2013, the maximum amount of the fee may not exceed \$80 per trip.
4 On September 1 of each subsequent year, the authority may adjust the
5 maximum fee amount as necessary to reflect the percentage change
6 during the preceding year in the Consumer Price Index for All Urban
7 Consumers (CPI-U), U.S. City Average, published monthly by the
8 United States Bureau of Labor Statistics or its successor in
9 function.

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

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

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

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

26 (5) a statement:
27 (A) that the gross weight of the vehicle for

1 which a permit is issued may not exceed 125,000 pounds; and

2 (B) of any other condition on which the permit is
3 issued;

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

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

8 (b) The authority shall report to the department all permits
9 issued under this subchapter.

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

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

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

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

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

President of the Senate

Speaker of the House

I certify that H.B. No. 474 was passed by the House on April 11, 2013, by the following vote: Yeas 143, Nays 1, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 474 on May 23, 2013, by the following vote: Yeas 142, Nays 4, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 474 was passed by the Senate, with amendments, on May 20, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor