

1-1 By: Munoz, Jr., Guerra (Senate Sponsor - Hinojosa) H.B. No. 474  
 1-2 (In the Senate - Received from the House April 15, 2013;  
 1-3 April 17, 2013, read first time and referred to Committee on  
 1-4 Transportation; May 14, 2013, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;  
 1-6 May 14, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 474 By: Davis

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to an optional procedure for the issuance of a permit by a  
 1-22 certain regional mobility authority for the movement of oversize or  
 1-23 overweight vehicles carrying cargo; authorizing a fee.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Chapter 623, Transportation Code, is amended by  
 1-26 adding Subchapter Q to read as follows:

1-27 SUBCHAPTER Q. REGIONAL MOBILITY AUTHORITY PERMITS

1-28 Sec. 623.320. OPTIONAL PROCEDURE. This subchapter provides  
 1-29 an optional procedure for the issuance of a permit by a regional  
 1-30 mobility authority for the movement of oversize or overweight  
 1-31 vehicles carrying cargo on certain roads located in Hidalgo County.

1-32 Sec. 623.321. DEFINITION. In this subchapter, "authority"  
 1-33 means the regional mobility authority authorized to issue permits  
 1-34 under Section 623.322.

1-35 Sec. 623.322. ISSUANCE OF PERMITS. (a) The commission may  
 1-36 authorize a regional mobility authority to issue permits for the  
 1-37 movement of oversize or overweight vehicles carrying cargo in  
 1-38 Hidalgo County on:

1-39 (1) the following roads:

1-40 (A) U.S. Highway 281 between its intersection  
 1-41 with the Pharr-Reynosa International Bridge and its intersection  
 1-42 with State Highway 336;

1-43 (B) State Highway 336 between its intersection  
 1-44 with U.S. Highway 281 and its intersection with Farm-to-Market Road  
 1-45 1016;

1-46 (C) Farm-to-Market Road 1016 between its  
 1-47 intersection with State Highway 336 and its intersection with  
 1-48 Trinity Road;

1-49 (D) Trinity Road between its intersection with  
 1-50 Farm-to-Market Road 1016 and its intersection with Farm-to-Market  
 1-51 Road 396;

1-52 (E) Farm-to-Market Road 396 between its  
 1-53 intersection with Trinity Road and its intersection with the  
 1-54 Anzalduas International Bridge;

1-55 (F) Farm-to-Market Road 2061 between its  
 1-56 intersection with Farm-to-Market Road 3072 and its intersection  
 1-57 with U.S. Highway 281;

1-58 (G) U.S. Highway 281 between its intersection  
 1-59 with the Pharr-Reynosa International Bridge and its intersection  
 1-60 with Spur 29;

2-1 (H) Spur 29 between its intersection with U.S.  
2-2 Highway 281 and its intersection with Doffin Canal Road; and  
2-3 (I) Doffin Canal Road between its intersection  
2-4 with the Pharr-Reynosa International Bridge and its intersection  
2-5 with Spur 29; or

2-6 (2) another route designated by the commission in  
2-7 consultation with the authority.

2-8 (b) The authority authorized under this section must serve  
2-9 the same geographic location as the roads over which the permit is  
2-10 valid.

2-11 Sec. 623.323. PERMIT FEES. (a) The authority may collect a  
2-12 fee for permits issued under this subchapter. Beginning September  
2-13 1, 2013, the maximum amount of the fee may not exceed \$80 per trip.  
2-14 On September 1 of each subsequent year, the authority may adjust the  
2-15 maximum fee amount as necessary to reflect the percentage change  
2-16 during the preceding year in the Consumer Price Index for All Urban  
2-17 Consumers (CPI-U), U.S. City Average, published monthly by the  
2-18 United States Bureau of Labor Statistics or its successor in  
2-19 function.

2-20 (b) Fees collected under Subsection (a) shall be used only  
2-21 for the construction and maintenance of the roads described by or  
2-22 designated under Section 623.322 and for the authority's  
2-23 administrative costs, which may not exceed 15 percent of the fees  
2-24 collected. The authority shall make payments to the Texas  
2-25 Department of Transportation to provide funds for the maintenance  
2-26 of roads and highways subject to this subchapter.

2-27 Sec. 623.324. PERMIT REQUIREMENTS. (a) A permit issued  
2-28 under this subchapter must include:

2-29 (1) the name of the applicant;

2-30 (2) the date of issuance;

2-31 (3) the signature of the designated agent for the  
2-32 authority;

2-33 (4) a statement of the kind of cargo being  
2-34 transported, the maximum weight and dimensions of the equipment,  
2-35 and the kind and weight of each commodity to be transported;

2-36 (5) a statement:

2-37 (A) that the gross weight of the vehicle for  
2-38 which a permit is issued may not exceed 125,000 pounds; and

2-39 (B) of any other condition on which the permit is  
2-40 issued;

2-41 (6) a statement that the cargo may be transported in  
2-42 Hidalgo County only over the roads described by or designated under  
2-43 Section 623.322; and

2-44 (7) the location where the cargo was loaded.

2-45 (b) The authority shall report to the department all permits  
2-46 issued under this subchapter.

2-47 Sec. 623.325. TIME OF MOVEMENT. A permit issued under this  
2-48 subchapter must specify the time during which movement authorized  
2-49 by the permit is allowed.

2-50 Sec. 623.326. SPEED LIMIT. Movement authorized by a permit  
2-51 issued under this subchapter may not exceed the posted speed limit  
2-52 or 55 miles per hour, whichever is less. A violation of this  
2-53 provision constitutes a moving violation.

2-54 Sec. 623.327. ENFORCEMENT. The Department of Public Safety  
2-55 has authority to enforce this subchapter.

2-56 Sec. 623.328. RULES. The commission may adopt rules  
2-57 necessary to implement this subchapter.

2-58 SECTION 2. This Act takes effect September 1, 2013.

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