

SENATE AMENDMENTS

2nd Printing

By: Munoz, Jr., Guerra

H.B. No. 474

A BILL TO BE ENTITLED

AN ACT

relating to an optional procedure for the issuance of a permit by certain governmental entities for the movement of oversize or overweight vehicles carrying agricultural products; 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. CERTAIN PERMITS FOR AGRICULTURAL PRODUCTS

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

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

Sec. 623.322. ISSUANCE OF PERMITS. (a) The commission may authorize a governmental entity to issue permits for the movement of oversize or overweight vehicles carrying agricultural products 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;

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.

ADOPTED

MAY 20 2013

Handwritten signature

By: Munoz/Hinojosa

H.B. No. 474

Substitute the following for H.B. No. 474:

By: Wendy H. Davis

C.S. H.B. No. 474

A BILL TO BE ENTITLED

AN ACT

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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.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 21, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB474 by Muñoz, Jr. (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.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to authorize the Texas Transportation Commission to allow the Hidalgo County Regional Mobility Authority (HCRMA) to issue permits for the movement of oversize or overweight vehicles carrying cargo on specified roads in Hidalgo County. The bill would authorize the HCRMA to collect a permit fee not to exceed \$80 per trip beginning in fiscal year 2013 and to adjust the fee for inflation annually using an index prescribed by the bill. The fees could be used only for construction and maintenance of the roads specified by the bill and for the regional mobility authority's administrative costs. The bill would require the HCRMA to make payments to the Texas Department of Transportation (TxDOT) to provide funds for maintenance of the applicable roads. The bill would require the HCRMA to report to the Department of Motor Vehicles (DMV) all permits issued. The bill would authorize the Department of Public Safety (DPS) to enforce the permits.

Based on the information provided by TxDOT, DMV, and DPS, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 601 Department of Transportation, 608 Department of Motor Vehicles, 405 Department of Public Safety

LBB Staff: UP, SD, AG, TG, KKR

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 13, 2013

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB474 by Muñoz, Jr. (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.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to authorize the Texas Transportation Commission to allow the Hidalgo County Regional Mobility Authority (HCRMA) to issue permits for the movement of oversize or overweight vehicles carrying cargo on specified roads in Hidalgo County. The bill would authorize the HCRMA to collect a permit fee not to exceed \$80 per trip beginning in fiscal year 2013 and to adjust the fee for inflation annually using an index prescribed by the bill. The fees could be used only for construction and maintenance of the roads specified by the bill and for the regional mobility authority's administrative costs. The bill would require the HCRMA to make payments to the Texas Department of Transportation (TxDOT) to provide funds for maintenance of the applicable roads. The bill would require the HCRMA to report to the Department of Motor Vehicles (DMV) all permits issued. The bill would authorize the Department of Public Safety (DPS) to enforce the permits.

Based on the information provided by TxDOT, DMV, and DPS, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 601 Department of Transportation, 608 Department of Motor Vehicles, 405 Department of Public Safety

LBB Staff: UP, AG, TG, KKR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 18, 2013

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB474 by Muñoz, Jr. (Relating to an optional procedure for the issuance of a permit by certain governmental entities for the movement of oversize or overweight vehicles carrying agricultural products; authorizing a fee.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Transportation Code to authorize the Texas Transportation Commission to allow a governmental entity to issue permits for the movement of oversize or overweight vehicles carrying agricultural products on specified roads in Hidalgo County. The governmental entity must serve the same geographic location as the roads over which the permit is valid. The bill would authorize the governmental entity to collect a permit fee not to exceed \$80 per trip beginning in fiscal year 2013 and to adjust the fee for inflation annually using an index prescribed by the bill. The fees could be used only for construction and maintenance of the roads specified by the bill and for the governmental entity's administrative costs. The bill would require the governmental entity to make payments to the Texas Department of Transportation (TxDOT) to provide funds for maintenance of the applicable roads. The bill would require the governmental entity to report to the Department of Motor Vehicles (DMV) all permits issued by the governmental entity. The bill would authorize the Department of Public Safety (DPS) to enforce the permits.

Based on the information provided by TxDOT, DMV, and DPS, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 601 Department of Transportation, 608 Department of Motor Vehicles, 405 Department of Public Safety

LBB Staff: UP, AG, TG, KKR

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 28, 2013

TO: Honorable Larry Phillips, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB474 by Muñoz, Jr. (Relating to an optional procedure for the issuance of a permit by certain governmental entities for the movement of oversize or overweight vehicles carrying agricultural products; authorizing a fee.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to authorize the Texas Transportation Commission to allow a governmental entity to issue permits for the movement of oversize or overweight vehicles carrying agricultural products on specified roads in Hidalgo County. The governmental entity must serve the same geographic location as the roads over which the permit is valid. The bill would authorize the governmental entity to collect a permit fee not to exceed \$80 per trip beginning in fiscal year 2013 and to adjust the fee for inflation annually using an index prescribed by the bill. The fees could be used only for construction and maintenance of the roads specified by the bill and for the governmental entity's administrative costs. The bill would require the governmental entity to make payments to the Texas Department of Transportation (TxDOT) to provide funds for maintenance of the applicable roads. The bill would require the governmental entity to report to the Department of Motor Vehicles (DMV) all permits issued by the governmental entity. The bill would authorize the Department of Public Safety (DPS) to enforce the permits.

Based on the information provided by TxDOT, DMV, and DPS, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 601 Department of Transportation, 608 Department of Motor Vehicles, 405 Department of Public Safety

LBB Staff: UP, AG, TG, KKR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 18, 2013

TO: Honorable Larry Phillips, Chair, House Committee On Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB474 by Muñoz, Jr. (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.),
As Introduced

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Transportation Code to authorize the Texas Transportation Commission to allow the Hidalgo County Regional Mobility Authority (HCRMA) to issue permits for the movement of oversize or overweight vehicles carrying cargo on specified roads in Hidalgo County. The bill would authorize the HCRMA to collect a permit fee not to exceed \$80 per trip. The fees could be used only for construction and maintenance of the roads specified by the bill and for the HCRMA's administrative costs. The bill would require the HCRMA to make payments to the Texas Department of Transportation (TxDOT) to provide funds for maintenance of the applicable state highways. The bill would require the HCRMA to report to the Department of Motor Vehicles (DMV) all permits issued by the HCRMA. The bill would authorize the Department of Public Safety (DPS) to enforce the HCRMA permits.

Based on the information provided by TxDOT, DMV, and DPS, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 405 Department of Public Safety, 601 Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, AG, TG, KKR