

## **BILL ANALYSIS**

C.S.H.B. 2861  
By: Raymond  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Observers note that differences in weight limit regulations for trucks between Texas and the United Mexican States are requiring some companies operating along the border to unload their shipments before crossing the border and to divide shipments into multiple trucks before driving on international bridges, which interested parties regard as a highly inefficient process that could be avoided by the designation of an overweight truck corridor along parts of the Texas-Mexico border. According to interested parties, production and shipping companies, the cities in which the companies are located, and economic development corporations support the designation of such an overweight vehicle corridor to eliminate those unnecessary stops and promote efficiency. C.S.H.B. 2861 seeks to remedy this situation.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 2861 amends the Transportation Code to establish an optional procedure for the issuance of a permit by the City of Laredo for the movement of oversize or overweight vehicles carrying cargo on certain roadways located in Webb County. The bill authorizes the Texas Transportation Commission to authorize the City of Laredo to issue permits for the movement of oversize or overweight vehicles carrying cargo in Webb County on the roadways specifically identified in the bill. The bill authorizes the City of Laredo, in addition to those identified roadways, to designate and issue permits for the movement of oversize or overweight vehicles carrying cargo in Webb County on roadways under the city's jurisdiction and control.

C.S.H.B. 2861 authorizes the City of Laredo to collect a fee for the permits and caps the fee at \$200 per trip. The bill authorizes the city, on September 1 of each year and beginning September 1, 2016, to adjust the maximum fee amount as necessary to reflect the percentage change during the preceding year in the applicable federal Consumer Price Index for All Urban Consumers or its successor in function. The bill restricts use of the collected fees to operation and maintenance of the roadways described by or designated under the bill's provisions and for the City of Laredo's administrative costs, which the bill caps at 15 percent of the fees collected. The bill requires the distribution of the collected fees less the City of Laredo's administrative costs to be distributed between the state and the city based on lane mile calculations between on and off system roadways specified in the bill and requires lane mile calculations to be adjusted on a

biannual basis. The bill requires the City of Laredo to send the state's portion of the collected fees to the comptroller of public accounts for deposit to the credit of the state highway fund and exempts those deposited fees from the application of Government Code provisions relating to use of dedicated revenue.

C.S.H.B. 2861 prescribes the required contents of the permit and requires the City of Laredo to report to the Texas Department of Motor Vehicles all permits issued under the bill's provisions. The bill requires the permit to specify the time during which movement authorized by the permit is allowed. The bill prohibits movement authorized by the permit from exceeding the posted speed limit or 55 miles per hour, whichever is less, and establishes that a violation of the prohibition constitutes a moving violation. The bill authorizes the City of Laredo to assign its authority, duties, and responsibilities under the bill's provisions to the regional mobility authority in which the city is located. The bill grants the Department of Public Safety authority to enforce the bill's provisions and authorizes the commission to adopt rules necessary to implement the bill's provisions.

**EFFECTIVE DATE**

September 1, 2015.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2861 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

**INTRODUCED**

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

**SUBCHAPTER T. WEBB COUNTY PERMITS**

**Sec. 623.381. OPTIONAL PROCEDURE.** This subchapter provides an optional procedure for the issuance of a permit by the City of Laredo for the movement of oversize or overweight vehicles carrying cargo on certain roads located in Webb County.

**Sec. 623.382. ISSUANCE OF PERMITS.** The commission may authorize the City of Laredo to issue permits for the movement of oversize or overweight vehicles carrying cargo in Webb County on:

(1) the following roads:

(A) State Highway Loop 20 between its intersection with the World Trade Bridge and its intersection with Farm-to-Market Road 1472;

(B) Farm-to-Market Road 1472 between its intersection with State Highway Loop 20 and the northernmost of its intersections with World Trade Center Loop;

(C) Farm-to-Market Road 1472 between the northernmost of its intersections with World Trade Center Loop and its

**HOUSE COMMITTEE SUBSTITUTE**

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

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**Sec. 623.382. ISSUANCE OF PERMITS.** (a) The commission may authorize the City of Laredo to issue permits for the movement of oversize or overweight vehicles carrying cargo in Webb County on the following roadways:

(1) Farm-to-Market Road 1472 between its intersection with State Highway Loop 20 and the northernmost of its intersections with World Trade Center Loop;

(2) Farm-to-Market Road 1472 between the northernmost of its intersections with World Trade Center Loop and its intersection with

intersection with Hachar Loop, if the Hachar Loop project in the city of Laredo is constructed;

(D) Hachar Loop between its intersection with Farm-to-Market Road 1472 and its intersection with Beltway Parkway, if the Hachar Loop project in the city of Laredo is constructed; and

(E) Beltway Parkway between its intersection with Hachar Loop and its intersection with Interstate Highway 35, if the Hachar Loop project in the city of Laredo is constructed; or

(2) another route designated by the commission in consultation with the city.

Sec. 623.383. PERMIT FEES. (a) The City of Laredo may collect a fee for permits issued under this subchapter. Beginning September 1, 2015, the maximum amount of the fee may not exceed \$200 per trip. On September 1 of each subsequent year, the city may adjust the maximum fee amount as necessary to reflect the percentage change during the preceding year in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, published monthly by the United States Bureau of Labor Statistics or its successor in function.

(b) Fees collected under Subsection (a) shall be used only for the operation and maintenance of the roads described by or designated under Section 623.382. The City of Laredo shall make payments to the Texas Department of Transportation to provide funds for the operation and maintenance of roads and highways subject to this subchapter.

Hachar Loop, if the Hachar Loop project in Webb County is constructed;

(3) Hachar Loop between its intersection with Farm-to-Market Road 1472 and its intersection with Interstate Highway 35, if the Hachar Loop project in Webb County is constructed; and

(4) Beltway Parkway between its intersection with Hachar Loop and its intersection with Interstate Highway 35, if the Hachar Loop project in Webb County is constructed.

(b) In addition to the roadways described by Subsection (a), the City of Laredo may designate and issue permits for the movement of oversize or overweight vehicles carrying cargo in Webb County on roadways under the city's jurisdiction and control.

Sec. 623.383. PERMIT FEES. (a) The City of Laredo may collect a fee for permits issued under this subchapter. Except as otherwise provided by this subsection, the maximum amount of the fee may not exceed \$200 per trip. On September 1 of each year, the city may adjust the maximum fee amount as necessary to reflect the percentage change during the preceding year in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, published monthly by the United States Bureau of Labor Statistics or its successor in function.

(b) Fees collected under Subsection (a) may be used only for the operation and maintenance of the roadways described by or designated under Section 623.382 and for the City of Laredo's administrative costs, which may not exceed 15 percent of the fees collected.

(c) The distribution of the fees collected under Subsection (a) less the City of Laredo's administrative costs must be distributed between the state and the city based on lane mile calculations between on and off system roadways subject to this subchapter. Lane mile calculations must be adjusted on a biannual basis.

(d) The City of Laredo shall send the state's portion of the fees collected under

Sec. 623.384. PERMIT REQUIREMENTS.

(a) A permit issued under this subchapter must include:

- (1) the name of the applicant;
- (2) the date of issuance;
- (3) the signature of the designated agent for the City of Laredo;
- (4) a statement of the kind of cargo being transported, the maximum weight and dimensions of the equipment, and the kind and weight of each commodity to be transported;
- (5) a statement:
  - (A) that the gross weight of the vehicle for which a permit is issued may not exceed 125,000 pounds; and
  - (B) of any other condition on which the permit is issued;
- (6) a statement that the cargo may be transported in Webb County only over the roads described by or designated under Section 623.382; and

(7) the location where the cargo was loaded.

(b) The City of Laredo shall report to the department all permits issued under this subchapter.

Sec. 623.385. TIME OF MOVEMENT.

Sec. 623.386. SPEED LIMIT.

Sec. 623.387. ENFORCEMENT.

Sec. 623.388. RULES.

No equivalent provision.

SECTION 2. This Act takes effect September 1, 2015.

Subsection (a) to the comptroller for deposit to the credit of the state highway fund. Fees deposited in the state highway fund under this section are exempt from the application of Section 403.095, Government Code.

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- (2) the date of issuance;
- (3) the signature of the designated agent for the City of Laredo;
- (4) a statement of the kind of cargo being transported, the maximum weight and dimensions of the equipment, and the kind and weight of each commodity to be transported;
- (5) a statement:
  - (A) that the gross weight of the vehicle for which a permit is issued may not exceed 125,000 pounds; and
  - (B) of any other condition on which the permit is issued;
- (6) a statement that the cargo may be transported in Webb County only over the roadways described by or designated under Section 623.382;
- (7) a statement that the permit does not authorize the transportation of the cargo on an interstate highway; and

(8) the location where the cargo was loaded.

(b) The City of Laredo shall report to the department all permits issued under this subchapter.

Sec. 623.385. TIME OF MOVEMENT.

Sec. 623.386. SPEED LIMIT.

Sec. 623.387. ENFORCEMENT.

Sec. 623.388. ASSIGNMENT. The City of Laredo may assign its authority, duties, and responsibilities under this subchapter to the regional mobility authority in which the city is located.

Sec. 623.389. RULES.

SECTION 2. The City of Laredo may adjust the maximum fee amount as provided by Section 623.383, Transportation Code, as added by this Act, beginning September 1, 2016.

SECTION 3. Same as introduced version.