

By: Raymond

H.B. No. 2861

Substitute the following for H.B. No. 2861:

By: Pickett

C.S.H.B. No. 2861

A BILL TO BE ENTITLED

AN ACT

relating to an optional procedure for the issuance of a permit by the City of Laredo for the movement of oversize or overweight vehicles carrying cargo in Webb County; authorizing a fee; adding a provision subject to criminal penalties.

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

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 roadways located in Webb County.

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

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

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

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

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

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

26 (c) The distribution of the fees collected under Subsection
27 (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 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.

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 roadways described by or designated under Section 623.382;

(7) a statement that the permit does not authorize the

1 transportation of the cargo on an interstate highway; and

2 (8) the location where the cargo was loaded.

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

5 Sec. 623.385. TIME OF MOVEMENT. A permit issued under this
6 subchapter must specify the time during which movement authorized
7 by the permit is allowed.

8 Sec. 623.386. SPEED LIMIT. Movement authorized by a permit
9 issued under this subchapter may not exceed the posted speed limit
10 or 55 miles per hour, whichever is less. A violation of this
11 provision constitutes a moving violation.

12 Sec. 623.387. ENFORCEMENT. The Department of Public Safety
13 has authority to enforce this subchapter.

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

17 Sec. 623.389. RULES. The commission may adopt rules
18 necessary to implement this subchapter.

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

22 SECTION 3. This Act takes effect September 1, 2015.