

By: Nichols

S.B. No. 1171

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the operation of certain oversize or overweight
3 vehicles transporting timber, timber products, or forestry
4 equipment on certain public roadways.

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

6 SECTION 1. Section 621.102(d), Transportation Code, is
7 amended to read as follows:

8 (d) A vehicle operating under a permit issued under Section
9 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192,
10 ~~or~~ 623.212, or 623.321, as added by Chapter 1135 (H.B. 2741), Acts
11 of the 83rd Legislature, Regular Session, 2013, may operate under
12 the conditions authorized by the permit over a road for which the
13 executive director of the Texas Department of Transportation has
14 set a maximum weight under this section.

15 SECTION 2. Section 621.301(e), Transportation Code, is
16 amended to read as follows:

17 (e) A vehicle operating under a permit issued under Section
18 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192,
19 ~~or~~ 623.212, or 623.321, as added by Chapter 1135 (H.B. 2741), Acts
20 of the 83rd Legislature, Regular Session, 2013, may operate under
21 the conditions authorized by the permit over a road for which the
22 commissioners court has set a maximum weight under this section.

23 SECTION 3. Section 622.901, Transportation Code, is amended
24 to read as follows:

1 Sec. 622.901. WIDTH EXCEPTIONS. The width limitation
2 provided by Section 621.201 does not apply to:

3 (1) highway building or maintenance machinery that is
4 traveling:

5 (A) during daylight on a public highway other
6 than a highway that is part of the national system of interstate and
7 defense highways; or

8 (B) for not more than 50 miles on a highway that
9 is part of the national system of interstate and defense highways;

10 (2) a vehicle traveling during daylight on a public
11 highway other than a highway that is part of the national system of
12 interstate and defense highways or traveling for not more than 50
13 miles on a highway that is part of the national system of interstate
14 and defense highways if the vehicle is:

15 (A) a farm tractor or implement of husbandry; or

16 (B) a vehicle on which a farm tractor, ~~or~~
17 implement of husbandry, or equipment used in the harvesting and
18 production of timber, other than a tractor, ~~or~~ implement, or
19 equipment being transported from one dealer to another, is being
20 moved by the owner of the tractor, ~~or~~ implement, or equipment or
21 by an agent or employee of the owner:

22 (i) to deliver the tractor, ~~or~~ implement,
23 or equipment to a new owner;

24 (ii) to transport the tractor, ~~or~~
25 implement, or equipment to or from a mechanic for maintenance or
26 repair; or

27 (iii) in the course of an agricultural

1 forestry operation;

2 (3) machinery that is used solely for drilling water
3 wells, including machinery that is a unit or a unit mounted on a
4 conventional vehicle or chassis, and that is traveling:

5 (A) during daylight on a public highway other
6 than a highway that is part of the national system of interstate and
7 defense highways; or

8 (B) for not more than 50 miles on a highway that
9 is part of the national system of interstate and defense highways;

10 (4) a vehicle owned or operated by a public, private,
11 or volunteer fire department;

12 (5) a vehicle registered under Section 502.431; or

13 (6) a recreational vehicle to which Section 622.903
14 applies.

15 SECTION 4. Section 623.322(a), Transportation Code, as
16 added by Chapter 1135 (H.B. 2741), Acts of the 83rd Legislature,
17 Regular Session, 2013, is amended to read as follows:

18 (a) To qualify for a permit under this subchapter for a
19 vehicle or combination of vehicles, a person must:

20 (1) pay a permit fee of \$900 [~~\$1,500~~];

21 (2) designate in the permit application the timber
22 producing counties described by Section 623.321(a) in which the
23 vehicle or combination of vehicles will be operated; and

24 (3) satisfy the security requirement of Section
25 623.012.

26 SECTION 5. The change in law made by this Act applies only
27 to an offense committed on or after the effective date of this Act.

1 An offense committed before the effective date of this Act is
2 governed by the law in effect on the date the offense was committed,
3 and the former law is continued in effect for that purpose. For
4 purposes of this section, an offense was committed before the
5 effective date of this Act if any element of the offense occurred
6 before that date.

7 SECTION 6. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2015.