

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. The change in law made by this Act applies only  
16 to an offense committed on or after the effective date of this Act.  
17 An offense committed before the effective date of this Act is  
18 governed by the law in effect on the date the offense was committed,  
19 and the former law is continued in effect for that purpose. For  
20 purposes of this section, an offense was committed before the  
21 effective date of this Act if any element of the offense occurred  
22 before that date.

23 SECTION 5. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2015.