

SENATE AMENDMENTS

2nd Printing

By: Raymond

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

1 distributed between the state and the city based on lane mile
2 calculations between on and off system roadways subject to this
3 subchapter. Lane mile calculations must be adjusted on a biannual
4 basis.

5 (d) The City of Laredo shall send the state's portion of the
6 fees collected under Subsection (a) to the comptroller for deposit
7 to the credit of the state highway fund. Fees deposited in the
8 state highway fund under this section are exempt from the
9 application of Section 403.095, Government Code.

10 Sec. 623.384. PERMIT REQUIREMENTS. (a) A permit issued
11 under this subchapter must include:

12 (1) the name of the applicant;
13 (2) the date of issuance;
14 (3) the signature of the designated agent for the City
15 of Laredo;

16 (4) a statement of the kind of cargo being
17 transported, the maximum weight and dimensions of the equipment,
18 and the kind and weight of each commodity to be transported;

19 (5) a statement:
20 (A) that the gross weight of the vehicle for
21 which a permit is issued may not exceed 125,000 pounds; and
22 (B) of any other condition on which the permit is
23 issued;

24 (6) a statement that the cargo may be transported in
25 Webb County only over the roadways described by or designated under
26 Section 623.382;

27 (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.

ADOPTED

MAY 25 2015

Latey Spaw
Secretary of the Senate

By: Raymond Zaffirini

H.B. No. 2861

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

By: *[Signature]*

C.S. H.B. No. 2861

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(3) Hachar Loop between its intersection with

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

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

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

11 Sec. 623.383. SURETY BOND. The commission may require the
12 City of Laredo to execute, at its own expense, a surety bond payable
13 to the Texas Department of Transportation in an amount of not less
14 than \$500,000 for costs of maintenance for the roadways described
15 by Section 623.382(a).

16 Sec. 623.384. PERMIT FEES. (a) The City of Laredo may
17 collect a fee for permits issued under this subchapter. Except as
18 otherwise provided by this subsection, the maximum amount of the
19 fee may not exceed \$200 per trip. On September 1 of each year, the
20 city may adjust the maximum fee amount as necessary to reflect the
21 percentage change during the preceding year in the Consumer Price
22 Index for All Urban Consumers (CPI-U), U.S. City Average, published
23 monthly by the United States Bureau of Labor Statistics or its
24 successor in function.

25 (b) Fees collected under Subsection (a) may be used only for
26 the operation and maintenance of the roadways described by or
27 designated under Section 623.382 and for the City of

1 Laredo's administrative costs, which may not exceed 15 percent of
2 the fees collected.

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

9 (d) The City of Laredo shall send the state's portion of the
10 fees collected under Subsection (a) to the comptroller for deposit
11 to the credit of the state highway fund. Fees deposited in the
12 state highway fund under this section are exempt from the
13 application of Section 403.095, Government Code.

14 Sec. 623.385. PERMIT REQUIREMENTS. (a) A permit issued
15 under this subchapter must include:

16 (1) the name of the applicant;
17 (2) the date of issuance;
18 (3) the signature of the designated agent for the City
19 of Laredo;

20 (4) a statement of the kind of cargo being
21 transported, the maximum weight and dimensions of the equipment,
22 and the kind and weight of each commodity to be transported;

23 (5) a statement:

24 (A) that the gross weight of the vehicle for
25 which a permit is issued may not exceed 125,000 pounds; and

26 (B) of any other condition on which the permit is
27 issued;

1 (6) a statement that the cargo may be transported in
2 Webb County only over the roadways described by or designated under
3 Section 623.382;

4 (7) a statement that the permit does not authorize the
5 transportation of the cargo on an interstate highway; and

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

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

9 Sec. 623.386. 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. 623.387. 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. 623.388. ENFORCEMENT. The Department of Public Safety
17 has authority to enforce this subchapter.

18 Sec. 623.389. PAVEMENT MANAGEMENT PLAN. The Texas
19 Department of Transportation shall create a pavement management
20 plan for the roadways described by Section 623.382(a).

21 Sec. 623.390. RULES. The commission may adopt rules
22 necessary to implement this subchapter.

23 SECTION 2. The City of Laredo may adjust the maximum fee
24 amount as provided by Section 623.384, Transportation Code, as
25 added by this Act, beginning September 1, 2016.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 26, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2861 by Raymond (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.), **As Passed 2nd House**

The bill would have an indeterminate revenue gain to the State Highway Fund. The impact cannot be determined based on the unknown number of permits that would be issued and the unknown fee to be levied for each permit.

The bill would amend the Transportation Code relating to the issuance of permits for the movement of oversized and overweight vehicles by the City of Laredo on certain roads in Webb county. Under the provisions of the bill, the fees collected would be permitted to be used for the operation and maintenance of the roadways and for the City of Laredo's administrative costs, which would be prohibited from exceeding 15% of the fees collected. The bill would require the remaining fees to be distributed between the state and the city based on lane mile calculations between on-system and off-system roadways subject to the bill. The bill would require the state's portion of the fees collected to be submitted to the comptroller for deposit to the credit of the State Highway Fund. The bill provides requirements for the issued permits under the chapter. The bill would authorize the Texas Transportation Commission to require the City of Laredo to execute a surety bond payable to the Texas Department of Transportation (TxDOT) in an amount not less than \$500,000 for costs of maintenance for certain roadways described by the bill.

The bill would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

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

The Department of Public Safety indicated the costs associated with the implementing the provisions of the bill could be reasonably absorbed within current resources.

Local Government Impact

There could be an increase in revenue to the local road improvement funding in the local entities; however, the fiscal impact cannot be determined based on the unknown number of permits that would be issued and the unknown fee to be levied for each permit.

Source Agencies: 601 Department of Transportation, 304 Comptroller of Public Accounts,
405 Department of Public Safety, 608 Department of Motor Vehicles

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 23, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2861 by Raymond (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.), **Committee Report 2nd House, Substituted**

The bill would have an indeterminate revenue gain to the State Highway Fund. The impact cannot be determined based on the unknown number of permits that would be issued and the unknown fee to be levied for each permit.

The bill would amend the Transportation Code relating to the issuance of permits for the movement of oversized and overweight vehicles by the City of Laredo on certain roads in Webb county. Under the provisions of the bill, the fees collected would be permitted to be used for the operation and maintenance of the roadways and for the City of Laredo's administrative costs, which would be prohibited from exceeding 15% of the fees collected. The bill would require the remaining fees to be distributed between the state and the city based on lane mile calculations between on-system and off-system roadways subject to the bill. The bill would require the state's portion of the fees collected to be submitted to the comptroller for deposit to the credit of the State Highway Fund. The bill provides requirements for the issued permits under the chapter. The bill would authorize the Texas Transportation Commission to require the City of Laredo to execute a surety bond payable to the Texas Department of Transportation (TxDOT) in an amount not less than \$500,000 for costs of maintenance for certain roadways described by the bill.

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Source Agencies: 601 Department of Transportation, 304 Comptroller of Public Accounts,
405 Department of Public Safety, 608 Department of Motor Vehicles

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 12, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2861 by Raymond (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.), **As Engrossed**

The bill would have an indeterminate revenue gain to the State Highway Fund. The impact cannot be determined based on the unknown number of permits that would be issued and the unknown fee to be levied for each permit.

The bill would amend the Transportation Code relating to the issuance of permits for the movement of oversized and overweight vehicles by the City of Laredo on certain roads in Webb county. Under the provisions of the bill, the fees collected would be permitted to be used for the operation and maintenance of the roadways and for the City of Laredo's administrative costs, which would be prohibited from exceeding 15% of the fees collected. The bill would require the remaining fees to be distributed between the state and the city based on lane mile calculations between on-system and off-system roadways subject to the bill. The bill would require the state's portion of the fees collected to be submitted to the comptroller for deposit to the credit of the State Highway Fund. The bill provides requirements for the issued permits under the chapter.

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Based on the information provided by the Texas Department of Transportation, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The Department of Public Safety indicated the costs associated with the implementing the provisions of the bill could be reasonably absorbed within current resources.

Local Government Impact

There could be an increase in revenue to the local road improvement funding in the local entities; however, the fiscal impact cannot be determined based on the unknown number of permits that would be issued and the unknown fee to be levied for each permit.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601 Department of Transportation, 608 Department of Motor Vehicles

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 28, 2015

TO: Honorable Joseph Pickett, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2861 by Raymond (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.),
Committee Report 1st House, Substituted

The bill would have an indeterminate revenue gain to the State Highway Fund. The impact cannot be determined based on the unknown number of permits that would be issued and the unknown fee to be levied for each permit.

The bill would amend the Transportation Code relating to the issuance of permits for the movement of oversized and overweight vehicles by the City of Laredo on certain roads in Webb county. Under the provisions of the bill, the fees collected would be permitted to be used for the operation and maintenance of the roadways and for the City of Laredo's administrative costs, which would be prohibited from exceeding 15% of the fees collected. The bill would require the remaining fees to be distributed between the state and the city based on lane mile calculations between on-system and off-system roadways subject to the bill. The bill would require the state's portion of the fees collected to be submitted to the comptroller for deposit to the credit of the State Highway Fund. The bill provides requirements for the issued permits under the chapter.

The bill would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

Based on the information provided by the Texas Department of Transportation, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The Department of Public Safety indicated the costs associated with the implementing the provisions of the bill could be reasonably absorbed within current resources.

Local Government Impact

There could be an increase in revenue to the local road improvement funding in the local entities; however, the fiscal impact cannot be determined based on the unknown number of permits that would be issued and the unknown fee to be levied for each permit.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601
Department of Transportation, 608 Department of Motor Vehicles

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 19, 2015

TO: Honorable Joseph Pickett, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2861 by Raymond (Relating to an optional procedure for the issuance of a permit by the City of Laredo for the movement of oversized or overweight vehicles carrying cargo in Webb County; authorizing a fee and adding a provision subject to criminal penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code relating to the issuance of permits for the movement of oversized and overweight vehicles by the City of Laredo on certain roads in Webb county.

Based on the information provided by the Texas Department of Transportation, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The Department of Public Safety indicated the costs associated with the implementing the provisions of the bill could be reasonably absorbed within current 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, EK, AG, SD, TG