

House Bill 2861
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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;

(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

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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

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in Webb County on roadways under the city's jurisdiction and control.

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

Sec. 623.384. 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.

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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 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. A permit issued under this subchapter must specify the time during which movement authorized by the permit is allowed.

Sec. 623.386. SPEED LIMIT. Movement authorized by a

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 - (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. 623.386. TIME OF MOVEMENT. A permit issued under this subchapter must specify the time during which movement authorized by the permit is allowed.

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<u>permit issued under this subchapter may not exceed the posted speed limit or 55 miles per hour, whichever is less. A violation of this provision constitutes a moving violation.</u>	<u>permit issued under this subchapter may not exceed the posted speed limit or 55 miles per hour, whichever is less. A violation of this provision constitutes a moving violation.</u>	
<u>Sec. 623.387. ENFORCEMENT. The Department of Public Safety has authority to enforce this subchapter.</u>	<u>Sec. 623.388. ENFORCEMENT. The Department of Public Safety has authority to enforce this subchapter.</u>	
<u>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.</u>		
	<u>Sec. 623.389. PAVEMENT MANAGEMENT PLAN. The Texas Department of Transportation shall create a pavement management plan for the roadways described by Section 623.382(a).</u>	
<u>Sec. 623.389. RULES. The commission may adopt rules necessary to implement this subchapter.</u>	<u>Sec. 623.390. RULES. The commission may adopt rules necessary to implement this subchapter.</u>	
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 2. Substantially the same as House version.	
SECTION 3. This Act takes effect September 1, 2015.	SECTION 3. Same as House version.	