

By: Pickett

H.B. No. 221

A BILL TO BE ENTITLED

AN ACT

relating to motor vehicle size and weight limitations.

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

SECTION 1. Chapter 622, Transportation Code, is amended by adding Subchapter K to read as follows:

SUBCHAPTER K. AUTOMOBILE AND BOAT TRANSPORTERS

Sec. 622.151. DEFINITIONS. In this subchapter:

(1) "Automobile transporter" and "backhaul" have the meanings assigned by 49 U.S.C. Section 31111.

(2) "Boat transporter" has the meaning assigned by 23 C.F.R. Section 658.5.

(3) "Stinger-steered" means a truck-tractor and semitrailer combination in which the fifth wheel is located on a drop frame located behind and below the rearmost axle of the truck-tractor.

Sec. 622.152. AUTOMOBILE TRANSPORTER BACKHAULS. An automobile transporter that complies with the weight and size limitations for a truck-tractor and semitrailer combination under this subtitle may transport cargo or general freight on a backhaul.

Sec. 622.153. MAXIMUM EXTENDED LENGTH OF LOAD. Notwithstanding Section 621.206, an automobile transporter that is stinger-steered may carry a load that extends not more than:

(1) four feet beyond its front; and

(2) six feet beyond its rear.

1       Sec. 622.154. RULES FOR BOAT TRANSPORTERS. If the United  
2 States secretary of transportation or the secretary's designee  
3 adopts regulations regarding the following, the board of the  
4 department may adopt rules to implement the regulations:

5           (1) authority for an operator to haul cargo or general  
6 freight with a boat transporter on a backhaul; or

7           (2) authority for an operator to exceed the overhang  
8 limits with a stinger-steered boat transporter to the same extent  
9 authorized by Section 622.153 for an automobile transporter.

10       SECTION 2. Section 622.902, Transportation Code, is amended  
11 to read as follows:

12       Sec. 622.902. LENGTH EXCEPTIONS. The length limitations  
13 provided by Sections 621.203, 621.204, and ~~[to]~~ 621.205 do not  
14 apply to:

15           (1) machinery used exclusively for drilling water  
16 wells, including machinery that is itself a unit or that is a unit  
17 mounted on a conventional vehicle or chassis;

18           (2) a vehicle owned or operated by a public, private,  
19 or volunteer fire department;

20           (3) a vehicle or combination of vehicles operated  
21 exclusively in the territory of a municipality or to a combination  
22 of vehicles operated by a municipality in a suburb adjoining the  
23 municipality in which the municipality has been using the equipment  
24 or similar equipment in connection with an established service to  
25 the suburb;

26           (4) a truck-tractor, truck-tractor combination, or  
27 truck-trailer combination exclusively transporting machinery,

1 materials, and equipment used in the construction, operation, and  
2 maintenance of facilities, including pipelines, that are used for  
3 the discovery, production, and processing of natural gas or  
4 petroleum;

5 (5) a drive-away saddlemount vehicle transporter  
6 combination or a drive-away saddlemount with fullmount vehicle  
7 transporter combination, as defined by 23 C.F.R. Part 658 or its  
8 successor, if:

9 (A) the overall length of the combination is not  
10 longer than 97 feet; and

11 (B) the combination does not have more than three  
12 saddlemounted vehicles if the combination does not include more  
13 than one fullmount vehicle;

14 (6) the combination of a tow truck and another vehicle  
15 or vehicle combination if:

16 (A) the other vehicle or vehicle combination  
17 cannot be normally or safely driven or was abandoned on a highway;  
18 and

19 (B) the tow truck is towing the other vehicle or  
20 vehicle combination directly to the nearest authorized place of  
21 repair, terminal, or destination of unloading;

22 (7) a vehicle or combination of vehicles used to  
23 transport a harvest machine that is used in farm custom harvesting  
24 operations on a farm if the overall length of the vehicle or  
25 combination is not longer than:

26 (A) 75 feet if the vehicle is traveling on a  
27 highway that is part of the national system of interstate and

1 defense highways or the federal aid primary highway system; or

2 (B) 81-1/2 feet if the vehicle is not traveling  
3 on a highway that is part of the national system of interstate and  
4 defense highways or the federal aid primary highway system; ~~or~~

5 (8) a truck-tractor operated in combination with a  
6 semitrailer and trailer or semitrailer and semitrailer if:

7 (A) the combination is used to transport a  
8 harvest machine that is used in farm custom harvesting operations  
9 on a farm;

10 (B) the overall length of the combination,  
11 excluding the length of the truck-tractor, is not longer than  
12 81-1/2 feet; and

13 (C) the combination is traveling on a highway  
14 that:

15 (i) is not part of the national system of  
16 interstate and defense highways or the federal aid primary highway  
17 system; and

18 (ii) is located in a county with a  
19 population of less than 300,000; or

20 (9) a towaway trailer transporter combination, as  
21 defined by 49 U.S.C. Section 31111, if the overall length of the  
22 combination is not longer than 82 feet.

23 SECTION 3. Section 622.952, Transportation Code, is amended  
24 to read as follows:

25 Sec. 622.952. EMERGENCY [~~FIRE DEPARTMENT~~] VEHICLE. (a)  
26 The weight limitations of Section 621.101 do not apply to an  
27 emergency [~~a~~] vehicle [~~owned or operated by a public, private, or~~

1 ~~volunteer fire department~~].

2 (b) The weight of an emergency [~~a fire department's~~] vehicle  
3 may not exceed the greater of:

4 (1) [~~be heavier than~~] the manufacturer's gross vehicle  
5 weight capacity or axle design rating; or

6 (2) including all enforcement tolerances, a:

7 (A) gross weight of 86,000 pounds;

8 (B) single steering axle weight of 24,000 pounds;

9 (C) single drive axle weight of 33,500 pounds;

10 (D) tandem axle weight of 62,000 pounds; or

11 (E) tandem rear drive steer axle weight of 52,000  
12 pounds.

13 (c) In this section, "emergency vehicle" means a vehicle  
14 designed to be used under emergency conditions:

15 (1) to transport personnel and equipment; and

16 (2) to support the suppression of fires and mitigation  
17 of other hazardous situations.

18 SECTION 4. Section 622.955(c), Transportation Code, is  
19 amended to read as follows:

20 (c) The weight increase under Subsection (b) may not be  
21 greater than 550 [~~400~~] pounds.

22 SECTION 5. Sections 623.071(a), (c), and (c-1),  
23 Transportation Code, are amended to read as follows:

24 (a) The department may issue a permit to allow the operation  
25 on [~~a person to operate over~~] a state highway of [~~superheavy or~~  
26 ~~oversize~~] equipment that exceeds the weight and size limits  
27 provided by law for the movement of equipment [+]

1           ~~[(1) is used to transport cylindrically shaped bales of~~  
2 ~~hay]~~ or a commodity that cannot reasonably be dismantled~~[, and~~

3           ~~[(2) has a gross weight or size that exceeds the limits~~  
4 ~~allowed by law to be transported over a state highway].~~

5           (c) The department may issue an annual permit to allow the  
6 operation on a state highway of equipment that exceeds weight and  
7 size limits provided by law for the movement of:

8           (1) an implement of husbandry by a dealer;

9           (2) water well drilling machinery and equipment or  
10 harvesting equipment being moved as part of an agricultural  
11 operation; or

12           (3) ~~[superheavy or oversize]~~ equipment or a commodity  
13 that:

14                   (A) cannot reasonably be dismantled; and

15                   (B) does not exceed:

16                           (i) 12 feet in width;

17                           (ii) 14 feet in height;

18                           (iii) 110 feet in length; or

19                           (iv) 120,000 pounds gross weight.

20           (c-1) The department may issue an annual permit that allows  
21 a person to operate over a state highway or road a vehicle or  
22 combination of vehicles transporting a load that cannot reasonably  
23 be dismantled that exceeds the length and height limits provided by  
24 law, except that:

25           (1) the maximum length allowed may not exceed 110  
26 feet; and

27           (2) the maximum height allowed may not exceed 14 feet.

1           SECTION 6. The change in law made by this Act applies only  
2 to an offense committed on or after the effective date of this Act.  
3 An offense committed before the effective date of this Act is  
4 governed by the law in effect on the date the offense was committed,  
5 and the former law is continued in effect for that purpose. For  
6 purposes of this section, an offense was committed before the  
7 effective date of this Act if any element of the offense occurred  
8 before that date.

9           SECTION 7. This Act takes effect December 1, 2017.