

By: Pickett

H.B. No. 1789

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 TRANSPORTERS

Sec. 622.151. DEFINITIONS. In this subchapter:

(1) "Automobile transporter" means any vehicle combination designed and used for the transport of assembled motor vehicles, including a truck-tractor as defined by Section 621.001(8)(A).

(2) "Backhaul" means the return trip of a vehicle transporting cargo or general freight.

(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. (a) 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.

(b) For purposes of Subsection (a), an automobile transporter is presumed to be on a backhaul if the automobile transporter is transporting cargo or general freight back over all

1 or part of the same route.

2 Sec. 622.153. MAXIMUM EXTENDED LENGTH OF LOAD.

3 Notwithstanding Section 621.206, an automobile transporter that is
4 stinger-steered may carry a load that extends not more than:

5 (1) four feet beyond its front; and

6 (2) six feet beyond its rear.

7 SECTION 2. Section 622.902, Transportation Code, is amended
8 to read as follows:

9 Sec. 622.902. LENGTH EXCEPTIONS. The length limitations
10 provided by Sections 621.203 to 621.205 do not apply to:

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

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

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

22 (4) a truck-tractor, truck-tractor combination, or
23 truck-trailer combination exclusively transporting machinery,
24 materials, and equipment used in the construction, operation, and
25 maintenance of facilities, including pipelines, that are used for
26 the discovery, production, and processing of natural gas or
27 petroleum;

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

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

7 (B) the combination does not have more than three
8 saddlemounted vehicles if the combination does not include more
9 than one fullmount vehicle;

10 (6) the combination of a tow truck and another vehicle
11 or vehicle combination if:

12 (A) the other vehicle or vehicle combination
13 cannot be normally or safely driven or was abandoned on a highway;
14 and

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

18 (7) a vehicle or combination of vehicles used to
19 transport a harvest machine that is used in farm custom harvesting
20 operations on a farm if the overall length of the vehicle or
21 combination is not longer than:

22 (A) 75 feet if the vehicle is traveling on a
23 highway that is part of the national system of interstate and
24 defense highways or the federal aid primary highway system; or

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

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

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

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

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

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

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

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

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

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

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

(1) [~~be heavier than~~] the manufacturer's gross vehicle

weight capacity or axle design rating; or

(2) including all enforcement tolerances, a:

(A) gross weight of 86,000 pounds;

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

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

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

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

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

(1) to transport personnel and equipment; and

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

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

(c) The weight increase under Subsection (b) may not be greater than 500 ~~[400]~~ pounds.

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

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

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

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

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

- (1) an implement of husbandry by a dealer;
- (2) water well drilling machinery and equipment or harvesting equipment being moved as part of an agricultural operation; or
- (3) ~~[superheavy or oversize]~~ equipment or a commodity that:

(A) cannot reasonably be dismantled; and

(B) does not exceed:

- (i) 12 feet in width;
- (ii) 14 feet in height;
- (iii) 110 feet in length; or
- (iv) 120,000 pounds gross weight.

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

- (1) the maximum length allowed may not exceed 110 feet; and
- (2) the maximum height allowed may not exceed 14 feet.

SECTION 6. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed,

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

5 SECTION 7. This Act takes effect September 1, 2017.