

By: Creighton

S.B. No. 1608

A BILL TO BE ENTITLED

AN ACT

relating to the operation of vehicles transporting mobile cranes.

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

SECTION 1. Section 621.102(d), Transportation Code, is amended to read as follows:

(d) A vehicle operating under a permit issued under Section 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192, 623.212, ~~[or] 623.321, or 623.402 [as added by Chapter 1135 (H.B. 2741), Acts of the 83rd Legislature, Regular Session, 2013,]~~ may operate under the conditions authorized by the permit over a road for which the executive director of the Texas Department of Transportation has set a maximum weight under this section.

SECTION 2. Section 621.301(e), Transportation Code, is amended to read as follows:

(e) A vehicle operating under a permit issued under Section 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192, 623.212, ~~[or] 623.321, or 623.402 [as added by Chapter 1135 (H.B. 2741), Acts of the 83rd Legislature, Regular Session, 2013,]~~ may operate under the conditions authorized by the permit over a road for which the commissioners court has set a maximum weight under this section.

SECTION 3. Chapter 623, Transportation Code, is amended by adding Subchapter U to read as follows:

SUBCHAPTER U. MOBILE CRANES

1       Sec. 623.401. DEFINITION. In this subchapter, "mobile  
2 crane" means a self-propelled vehicle that is:

3           (1) used solely to raise, shift, or lower heavy  
4 weights by means of a projecting, swinging mast with an engine for  
5 power on a chassis permanently constructed or assembled for that  
6 purpose; and

7           (2) designed to be moved between operating locations  
8 by transport over a roadway.

9       Sec. 623.402. PERMIT FOR VEHICLE TRANSPORTING MOBILE CRANE.

10 (a) The department shall issue a permit that authorizes the  
11 operation of a vehicle or combination of vehicles transporting  
12 mobile crane at a gross weight that is not heavier than 100,000  
13 pounds.

14       (b) A permit issued under this subchapter:

15           (1) is valid for one year, except as provided by  
16 Subsection(d); and

17           (2) must be carried in the vehicle for which it is  
18 issued.

19       (c) A vehicle issued a permit under this subchapter may  
20 operate on a state, county, or municipal road, including a  
21 load-zoned county road or a frontage road adjacent to a federal  
22 interstate highway, if the vehicle displays a sticker required by  
23 Section 623.403 and does not exceed the maximum gross weight  
24 authorized under Subsection(a).

25       (d) The department may issue a permit under this subchapter  
26 that is valid for a period of less than one year. The department  
27 shall prorate any applicable fee required for a permit issued under

1 this subsection as necessary to reflect the term of the permit.

2 Sec. 623.403. PERMIT STICKER. (a) When the department  
3 issues a permit under this subchapter, the department shall issue a  
4 sticker to be placed on the front windshield of the vehicle. The  
5 department shall design the form of the sticker to aid in the  
6 enforcement of weight limits for vehicles.

7 (b) The sticker must:

8 (1) indicate the expiration date of the permit; and

9 (2) be removed from the vehicle when:

10 (A) the permit for operation of the vehicle  
11 expires;

12 (B) a lease of the vehicle expires; or

13 (C) the vehicle is sold.

14 Sec. 623.404. COUNTY DESIGNATION. The department by rule  
15 shall require an applicant under this subchapter to designate in  
16 the permit application the counties in which the applicant intends  
17 to operate.

18 Sec. 623.405. CERTAIN COUNTY OR MUNICIPAL ACTIONS  
19 PROHIBITED. Unless otherwise provided by state or federal law, a  
20 county or municipality may not require a permit, fee, or license for  
21 the operation of a vehicle described by Section 623.402(a) in  
22 addition to a permit, fee, or license required by state law.

23 Sec. 623.406. TIMES AND DAYS OF MOVEMENT. (a) Movement  
24 authorized by a permit issued under this subchapter may be made on  
25 any day, provided that in a county with a population of more than  
26 300,000, movement may not be made between:

27 (1) 7 a.m. and 9 a.m.; and

1           (2) 4 p.m. and 6 p.m.

2           (b) For counties with a population less than 300,000, the  
3 Texas Department of Transportation, in coordination with local  
4 units of government, may limit the hours for travel on certain  
5 routes because of heavy or dangerous traffic conditions.

6           (c) The Texas Department of Transportation shall publish  
7 the limitation on movements prescribed by this section and the  
8 limitations adopted under Subsection (b) and shall make the  
9 publications available to the public. Each limitation adopted by  
10 the Texas Department of Transportation must be made available to  
11 the public before it takes effect.

12           Sec. 623.407. INTERSTATE AND DEFENSE HIGHWAYS. (a) This  
13 subchapter does not authorize the operation on the national system  
14 of interstate and defense highways in this state of a vehicle of a  
15 size or weight greater than those permitted under 23 U.S.C. Section  
16 127.

17           (b) If the United States authorizes the operation on the  
18 national system of interstate and defense highways of a vehicle of a  
19 size or weight greater than those permitted under 23 U.S.C. Section  
20 127 on September 1, 2017, the new limit automatically takes effect  
21 on the national system of interstate and defense highways in this  
22 state.

23           SECTION 4. STUDY OF ISSUES RELATING TO TRUCK TRAFFIC ON  
24 TOLLROADS OF THIS STATE. The 85th Legislature of the State of Texas  
25 hereby requests that the lieutenant governor and the speaker of the  
26 house of representatives to create a joint interim committee to  
27 study the issue of overweight truck access to toll roads and the

1 cost and benefits thereof, and that the committee's proceedings and  
2 operations be governed by such general rules and policies for joint  
3 interim committees as the 85th Legislature may adopt.

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