

By: Hughes

S.B. No. 1939

A BILL TO BE ENTITLED

AN ACT

relating to permits for the movement of intermodal shipping containers; authorizing a fee.

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

SECTION 1. Subchapter B, Chapter 623, Transportation Code, is amended by adding Section 623.0172 to read as follows:

Sec. 623.0172. PERMIT FOR INTERMODAL SHIPPING CONTAINER.

(a) In this section, "intermodal shipping container" means an enclosed, standardized, reusable container that:

(1) is used to pack, ship, move, or transport cargo;

(2) is designed to be carried on a semitrailer and loaded onto or unloaded from:

(A) a ship or vessel for international transportation; or

(B) a rail system for international transportation; and

(3) when combined with vehicles transporting the container, has a gross weight or axle weight that exceeds the limits allowed by law to be transported over a state highway or county or municipal road.

(b) The department shall issue an annual permit for the international transportation of an intermodal shipping container moving by a truck-tractor and semitrailer combination that has six total axles and is equipped with a roll stability support safety

system and truck blind spot systems only if:

(1) the gross weight of the combination does not exceed 93,000 pounds;

(2) the distance between the front axle of the truck-tractor and the last axle of the semitrailer, measured longitudinally, is approximately 647 inches;

(3) the truck-tractor is configured as follows:

(A) one single axle that does not exceed 13,000 pounds;

(B) one two-axle group that does not exceed 37,000 pounds, in which no axle in the group exceeds 18,500 pounds; and

(C) the distance between the individual axles on the two-axle group of the truck-tractor, measured longitudinally, is not less than 51 inches and not more than 52 inches; and

(4) the semitrailer is configured as follows:

(A) one three-axle group that does not exceed 49,195 pounds, in which no axle in the group exceeds 16,400 pounds; and

(B) the distance between the individual axles in the three-axle group of the semitrailer, measured longitudinally, is 60 inches.

(c) The department shall restrict vehicles operating under a permit issued under this section to routes that are:

(1) located in a county with a population of more than 90,000;

(2) on highways in the state highway system; and

1 (3) not more than five miles from the border between
2 this state and Arkansas.

3 (d) An intermodal shipping container being moved under a
4 permit issued under this section must be continuously sealed from
5 the point of origin to the point of destination with a seal that is
6 required by:

- 7 (1) the United States Customs and Border Protection;
8 (2) the United States Food and Drug Administration; or
9 (3) federal law or regulation.

10 (e) A permit issued under this section does not authorize
11 the operation of a vehicle combination described by Subsection (b)
12 on:

13 (1) load-restricted roads or bridges, including a road
14 or bridge for which a maximum weight and load limit has been
15 established and posted by the Texas Department of Transportation
16 under Section [621.102](#); or

17 (2) routes for which the Texas Department of
18 Transportation has not authorized the operation of a vehicle
19 combination described by Subsection (b).

20 (f) A permit issued under this subchapter does not authorize
21 the transportation of a material designated as of January 1, 2017,
22 as a hazardous material by the United States secretary of
23 transportation under 49 U.S.C. Section 5103(a).

24 (g) An applicant for a permit under this section must
25 designate each Texas Department of Transportation district in which
26 the permit will be used.

27 (h) The department shall initially set the fee for a permit

1 issued under this section in an amount not to exceed \$2,000.
2 Beginning in 2022, on September 1 of each even-numbered year the
3 department shall set the fee for a permit issued under this section
4 in an amount based on a reasonable estimate of the costs associated
5 with the operation of vehicles issued a permit under this section
6 over routes described by Subsection (c), including any increase in
7 the costs necessary to maintain or repair those highways. The
8 estimate shall be based on the results of the study conducted under
9 Subsection (1).

10 (i) Of the fee collected under this section for a permit:

11 (1) 90 percent shall be deposited to the credit of the
12 state highway fund;

13 (2) 5 percent shall be deposited to the credit of the
14 Texas Department of Motor Vehicles fund; and

15 (3) 5 percent shall be deposited to the appropriate
16 county road and bridge fund.

17 (j) A fee deposited under Subsection (i)(1) may only be used
18 for transportation projects in the Texas Department of
19 Transportation district designated in the permit application for
20 which the fee was assessed.

21 (k) The department may suspend a permit issued under this
22 section if the department receives notice from the Federal Highway
23 Administration that the operation of a vehicle under a permit
24 authorized by this section would result in the loss of federal
25 highway funding.

26 (l) Beginning in 2022, not later than September 1 of each
27 even-numbered year, the Texas Department of Transportation shall

1 conduct a study concerning vehicles operating under a permit issued
2 under this section and publish the results of the study. In
3 conducting the study, the Texas Department of Transportation shall
4 collect and examine the following information:

5 (1) the weight and configuration of vehicles operating
6 under a permit under this section that are involved in a motor
7 vehicle accident;

8 (2) the types of vehicles operating under a permit
9 issued under this section;

10 (3) traffic volumes and variations of vehicles
11 operating under a permit issued under this section;

12 (4) weigh-in-motion data for highways located in and
13 around the area described by Subsection (c);

14 (5) impacts to state and local bridges, including
15 long-term bridge performance, for bridges located in and around the
16 area described by Subsection (c); and

17 (6) impacts to state and local roads, including
18 changes in pavement design standards, construction specification
19 details, maintenance frequency and types, and properties of
20 pavement and underlying soils resulting from or necessitated by
21 vehicles operating under a permit issued under this section.

22 SECTION 2. This Act takes effect September 1, 2017.