

**House Bill 2319**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 621.101, Transportation Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding any other provision of this section, a vehicle or combination of vehicles that is powered by an engine fueled primarily by natural gas may exceed any weight limitation under this section by an amount that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system, provided that the maximum gross weight of the vehicle or combination of vehicles may not exceed 82,000 pounds.

No equivalent provision.

SENATE VERSION (IE)

SECTION 1. Same as House version.

CONFERENCE

SECTION \_\_. 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

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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

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

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

(1) the United States Customs and Border Protection;

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- (2) the United States Food and Drug Administration; or  
(3) federal law or regulation.  
(e) A permit issued under this section does not authorize the operation of a vehicle combination described by Subsection (b) on:  
(1) load-restricted roads or bridges, including a road or bridge for which a maximum weight and load limit has been established and posted by the Texas Department of Transportation under Section 621.102; or  
(2) routes for which the Texas Department of Transportation has not authorized the operation of a vehicle combination described by Subsection (b).  
(f) A permit issued under this subchapter does not authorize the transportation of a material designated as of January 1, 2017, as a hazardous material by the United States secretary of transportation under 49 U.S.C. Section 5103(a).  
(g) An applicant for a permit under this section must designate each Texas Department of Transportation district in which the permit will be used.  
(h) The department shall initially set the fee for a permit issued under this section in an amount not to exceed \$2,000. Beginning in 2022, on September 1 of each even-numbered year the department shall set the fee for a permit issued under this section in an amount based on a reasonable estimate of the costs associated with the operation of vehicles issued a permit under this section over routes described by Subsection (c), including any increase in the costs necessary to maintain or repair those highways. The estimate shall be based on the results of the study conducted under Subsection (l).  
(i) Of the fee collected under this section for a permit:  
(1) 90 percent shall be deposited to the credit of the state highway fund;

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

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

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

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

(1) Beginning in 2022, not later than September 1 of each even-numbered year, the Texas Department of Transportation shall conduct a study concerning vehicles operating under a permit issued under this section and publish the results of the study. In conducting the study, the Texas Department of Transportation shall collect and examine the following information:

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

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

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

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

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

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(6) impacts to state and local roads, including changes in pavement design standards, construction specification details, maintenance frequency and types, and properties of pavement and underlying soils resulting from or necessitated by vehicles operating under a permit issued under this section. [FA1]

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 2. Same as House version.