By:  West S.B. No. 1865

A BILL TO BE ENTITLED

AN ACT

relating to an annual permit for certain equipment used to apply paint to roadways; authorizing a fee.

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

SECTION 1.  Section 623.071, Transportation Code, is amended by adding Subsection (c-2) to read as follows:

(c-2)  The department may issue an annual permit to allow the operation on a state highway, other than a highway that is part of the national system of interstate and defense highways, of equipment that exceeds weight limits provided by law if the equipment:

(1)  does not exceed the maximum weight limit provided in Subsection (c)(3)(B); and

(2)  is used solely for the purpose of applying paint to a roadway as part of the construction or maintenance of public roads.

SECTION 2.  Section 623.076(c), Transportation Code, is amended to read as follows:

(c)  An application for a permit under Section 623.071(c)(3), (c-2), or (d) must be accompanied by the permit fee established by the board, in consultation with the commission, for the permit, not to exceed $7,000.  Of each fee collected under this subsection, the department shall send:

(1)  the first $1,000 to the comptroller for deposit to the credit of the general revenue fund; and

(2)  any amount in excess of $1,000 to the comptroller, who shall deposit:

(A)  90 percent of the excess to the credit of the state highway fund; and

(B)  10 percent of the excess to the credit of the Texas Department of Motor Vehicles fund.

SECTION 3.  Section 623.077(a), Transportation Code, is amended to read as follows:

(a)  An applicant for a permit under this subchapter, other than a permit under Section 623.071(c)(3) or (c-2), must also pay a highway maintenance fee in an amount determined according to the following table:

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| --- | --- |
| Vehicle Weight in Pounds | Fee |
| 80,001 to 120,000 | $150 |
| 120,001 to 160,000 | $225 |
| 160,001 to 200,000 | $300 |
| 200,001 and above | $375 |

SECTION 4.  This Act takes effect September 1, 2021.