

BILL ANALYSIS

H.B. 5225
By: Guillen
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Agricultural production is an essential aspect of the Texas economy, and there are concerns that fining farmers for driving their farm tractors on county and FM roads will disincentivize them from continuing this essential production. Sometimes these roads are the only option for farmers to take in rural areas. H.B. 5225 seeks to address this issue by creating an annual permit that will authorize the operation of a farm tractor and any accessories used for agricultural production on county and FM roads at a certain excess gross weight.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Motor Vehicles in SECTION 1 of this bill.

ANALYSIS

H.B. 5225 amends the Transportation Code to require the Texas Department of Motor Vehicles (TxDMV) to issue an annual permit that authorizes the operation of a farm tractor and any accessories being pulled or carried by the tractor that are used for agricultural production on county and FM roads at a gross weight that is not heavier than the weight equal to the maximum allowable gross weight for the tractor plus a tolerance allowance of 10 percent. To qualify for the permit, the tractor must be registered as a farm vehicle and the applicant must pay an annual permit fee of \$90. The bill requires the permit to be carried in the farm tractor for which it is issued. The bill's provisions expressly do not authorize the operation on the national system of interstate and defense highways in Texas of a vehicle of a size or weight greater than those permitted under federal law.

H.B. 5225 establishes that the permit does not authorize the operation of a vehicle on a bridge for which a maximum weight and load limit has been established and posted by the Texas Transportation Commission or the commissioners court of a county if the gross weight of the vehicle and load or the axles and wheel loads are greater than the limits established and posted by the commission or the commissioners court.

H.B. 5225 authorizes TxDMV to adopt rules necessary to administer the bill's provisions, including rules governing an application for the permit. The bill prohibits a county or municipality from requiring a permit, fee, or license for the operation of a farm tractor in addition to a permit, fee, or license required by state law, unless otherwise provided by state or federal law.

EFFECTIVE DATE

September 1, 2023.