

BILL ANALYSIS

H.B. 2118
By: Cain
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that during a declared disaster or in the lead-up to such an emergency the timely delivery of agricultural commodities is critical for supporting both Texas communities and the state's economy, but that current vehicle weight restrictions may slow down these efforts and hinder efficient disaster response because commercial operators must make multiple trips to meet demand. H.B. 2118 seeks to address this issue by authorizing the Texas Department of Motor Vehicles to issue a special permit to certain oversize or overweight vehicles or loads that will be used only to deliver agricultural commodities during or preceding a disaster.

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 board of the Texas Department of Motor Vehicles in SECTION 3 of this bill.

ANALYSIS

H.B. 2118 amends the Transportation Code to authorize the Texas Department of Motor Vehicles (TxDMV) to issue a special permit to an oversize or overweight vehicle or load that can easily be dismantled or divided and will be used only to deliver agricultural commodities under the following circumstances:

- during an emergency or major disaster as declared by the president of the United States under the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act or following a declaration of a state of disaster by the governor under the Texas Disaster Act of 1975, with the permit expiring not later than the 120th day after the date of the disaster or emergency declaration; or
- preceding an event that may result in a gubernatorial declaration of a state of disaster if issuance of the permit for the event is authorized by the Texas Division of Emergency Management (TDEM), with the permit expiring not later than the 120th day after the date TxDMV receives notice from TDEM authorizing the issuance of the permit as provided by the bill.

The bill defines "agricultural commodity" as an agricultural, horticultural, viticultural, silvicultural, or vegetable product, bees or honey, planting seed, cottonseed, rice, livestock or a livestock product, or poultry or a poultry product that is produced in Texas, either in its natural form or as processed by the producer, including woodchips.

H.B. 2118 authorizes a person to file an application to TDEM in the manner prescribed by TDEM requesting that it authorize the issuance of a permit preceding a potential disaster event

and requires TDEM, if it does so, to notify TxDMV of that decision in the manner prescribed by TxDMV and include in the notice the counties in which a vehicle issued the permit may be operated.

H.B. 2118 authorizes the board of TxDMV to adopt rules necessary to implement the bill's provisions, including rules that establish the requirements for obtaining a permit. The bill authorizes TxDMV to impose conditions on a permit holder to ensure the safe operation of a permitted vehicle and minimize damage to roadways, including requirements related to vehicle routing, hours of operation, weight limits, and lighting and requirements for escort vehicles.

H.B. 2118 expressly does not authorize the operation on the national system of interstate and defense highways or the federal aid primary highway system in Texas of a vehicle with a size or weight greater than those permitted under federal law. If the United States authorizes the operation on either of those highway systems of a vehicle with a size or weight greater than those permitted under federal law on September 1, 2025, the new limit automatically takes effect on the applicable highway system in Texas.

EFFECTIVE DATE

September 1, 2025.