

By: Paul

H.B. No. 3389

A BILL TO BE ENTITLED

AN ACT

relating to the approval of a surety bond for a contract authorizing an oversize or overweight vehicle to cross a road or highway.

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

SECTION 1. Section 623.051(d), Transportation Code, is amended to read as follows:

(d) Before exercising any right under a contract under this section, a person must execute with a corporate surety authorized to do business in this state a surety bond in an amount determined by the commission to compensate for the cost of maintenance and repairs as provided by this section. The bond must be approved by the Texas Department of Transportation ~~[comptroller and the attorney general]~~ and must be conditioned on the person fulfilling the obligations of the contract.

SECTION 2. Section 623.052(b), Transportation Code, is amended to read as follows:

(b) Before a person may operate a vehicle under this section, the person must:

(1) contract with the Texas Department of Transportation to indemnify the Texas Department of Transportation for the cost of the maintenance and repair for damage caused by a vehicle crossing that part of the highway; and

(2) execute an adequate surety bond to compensate for the cost of maintenance and repair, approved by the Texas

1 Department of Transportation [~~comptroller and the attorney~~  
2 ~~general~~], with a corporate surety authorized to do business in this  
3 state, conditioned on the person fulfilling each obligation of the  
4 agreement.

5       SECTION 3. The changes in law made by this Act apply only to  
6 the approval of a surety bond on or after the effective date of this  
7 Act.

8       SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2025.