

By: Tepper

H.B. No. 3679

Substitute the following for H.B. No. 3679:

By: Curry

C.S.H.B. No. 3679

A BILL TO BE ENTITLED

AN ACT

relating to the operation of certain vehicles during disasters.

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

SECTION 1. Section 162.235, Tax Code, is amended by adding Subsection (c) to read as follows:

(c) Notwithstanding Subsection (a), a person who purchases dyed diesel fuel and furnishes to the licensed supplier or distributor under Section 162.206(a) a signed statement that includes an end user number issued by the comptroller may operate a motor vehicle on a public highway in this state with that dyed diesel fuel in the fuel supply tank of the motor vehicle if the motor vehicle is operated:

(1) during a period for which the Internal Revenue Service has specified that it will not impose a penalty when dyed diesel fuel is sold for use or used on a public highway; and

(2) in an area that is included in an emergency or major disaster as declared by the president of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Section 5121 et seq.) or following a declaration of a state of disaster under Section 418.014, Government Code.

SECTION 2. Section 621.102(d), Transportation Code, is amended to read as follows:

(d) A vehicle operating under a permit issued under Section

1 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192,  
2 623.212, ~~[or] 623.321, or 623.451 [as added by Chapter 1135 (H.B.~~  
3 ~~2741), Acts of the 83rd Legislature, Regular Session, 2013,]~~ may  
4 operate under the conditions authorized by the permit over a road  
5 for which the executive director of the Texas Department of  
6 Transportation has set a maximum weight under this section.

7 SECTION 3. Section 621.301(e), Transportation Code, is  
8 amended to read as follows:

9 (e) A vehicle operating under a permit issued under Section  
10 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192,  
11 623.212, ~~[or] 623.321, or 623.451 [as added by Chapter 1135 (H.B.~~  
12 ~~2741), Acts of the 83rd Legislature, Regular Session, 2013,]~~ may  
13 operate under the conditions authorized by the permit over a road  
14 for which the commissioners court has set a maximum weight under  
15 this section.

16 SECTION 4. Chapter 623, Transportation Code, is amended by  
17 adding Subchapter W to read as follows:

18 SUBCHAPTER W. PERMIT FOR VEHICLES TRANSPORTING AGRICULTURAL

19 COMMODITIES DURING DISASTER

20 Sec. 623.451. PERMIT TO DELIVER AGRICULTURAL COMMODITIES.

21 (a) In this section, "agricultural commodity" means an  
22 agricultural, horticultural, viticultural, silvicultural, or  
23 vegetable product, bees or honey, planting seed, cottonseed, rice,  
24 livestock or a livestock product, or poultry or a poultry product  
25 that is produced in this state, either in its natural form or as  
26 processed by the producer, including wood chips.

27 (b) Notwithstanding any other state law, the department may

1 issue a special permit to an oversize or overweight vehicle or load  
2 that:

3 (1) can easily be dismantled or divided; and

4 (2) will be used only to deliver agricultural  
5 commodities to or from a site that is:

6 (A) located in an area included in an emergency  
7 or major disaster declaration described by Subsection (c)(1); and

8 (B) affected by the emergency or major disaster  
9 for which the declaration described by Subsection (c)(1) was  
10 issued.

11 (c) The department may issue a permit under this section  
12 only:

13 (1) during an emergency or major disaster as declared  
14 by the president of the United States under the Robert T. Stafford  
15 Disaster Relief and Emergency Assistance Act (42 U.S.C. Section  
16 5121 et seq.) or following a declaration of a state of disaster  
17 under Section 418.014, Government Code; and

18 (2) if the Department of Public Safety authorizes the  
19 issuance of the permit.

20 (d) If the Department of Public Safety authorizes the  
21 issuance of the permit, the Department of Public Safety shall  
22 notify the department of that decision in the manner prescribed by  
23 the department and include in the notice the counties in which a  
24 vehicle issued the permit may be operated.

25 (e) A permit under this section expires on:

26 (1) the date the declaration described by Subsection  
27 (c)(1) expires; or

1           (2) if the vehicle operating under the permit is using  
2 dyed diesel fuel in accordance with Section 162.235(c), Tax Code,  
3 the earlier of:

4                   (A) the date the Internal Revenue Service has  
5 specified that it will resume imposing a penalty when dyed diesel  
6 fuel is sold for use or used on a public highway; or

7                   (B) the date described by Subdivision (1).

8           Sec. 623.452. RULES. The board may adopt rules necessary to  
9 implement this subchapter, including rules that establish the  
10 requirements for obtaining a permit.

11           Sec. 623.453. PERMIT CONDITIONS. The department may impose  
12 conditions on a permit holder to ensure the safe operation of a  
13 permitted vehicle and minimize damage to roadways, including  
14 requirements related to vehicle routing, hours of operation, weight  
15 limits, and lighting and requirements for escort vehicles.

16           Sec. 623.454. INTERSTATE AND DEFENSE HIGHWAYS AND FEDERAL  
17 AID PRIMARY HIGHWAY SYSTEM. (a) This subchapter does not authorize  
18 the operation on the national system of interstate and defense  
19 highways or the federal aid primary highway system in this state of  
20 a vehicle with a size or weight greater than those permitted under  
21 23 U.S.C. Section 127 or 49 U.S.C. Sections 31111 through 31114.

22                   (b) If the United States authorizes the operation on the  
23 national system of interstate and defense highways or the federal  
24 aid primary highway system of a vehicle with a size or weight  
25 greater than those permitted under 23 U.S.C. Section 127 or 49  
26 U.S.C. Sections 31111 through 31114 on September 1, 2025, the new  
27 limit automatically takes effect on the national system of

1 interstate and defense highways or the federal aid primary highway  
2 system in this state.

3       SECTION 5. The change in law made by this Act to Section  
4 162.235, Tax Code, applies only to conduct that occurs on or after  
5 the effective date of this Act. Conduct that occurred before the  
6 effective date of this Act is governed by the law in effect on the  
7 date the conduct occurred, and the former law is continued in effect  
8 for that purpose. For purposes of this section, conduct occurred  
9 before the effective date of this Act if any element of the conduct  
10 occurred before that date.

11       SECTION 6. This Act takes effect September 1, 2025.