

By: Guillen

H.B. No. 4734

A BILL TO BE ENTITLED

AN ACT

relating to the operation of certain vehicles preceding, during,
and following 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 motor 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 motor
fuel in the fuel supply tank of the motor vehicle during a period
beginning on the date a state of disaster is declared under Section
418.014, Government Code, due to a fire, flood, earthquake,
tornado, hurricane, storm, or energy emergency and ending on the
30th day after the declaration expires or otherwise terminates, if
the motor vehicle is operated:

(1) in the area designated a disaster area by the
disaster declaration; or

(2) in an area other than the area described by
Subdivision (1) if the dyed motor fuel was placed in the fuel supply
tank of the motor vehicle in the area described by that subdivision.

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

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

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

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

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

SUBCHAPTER W. PERMIT FOR VEHICLES TRANSPORTING AGRICULTURAL
COMMODITIES DURING OR PRECEDING DISASTER

Sec. 623.451. PERMIT TO DELIVER AGRICULTURAL COMMODITIES.

(a) In this section:

(1) "Agricultural commodity" means 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 this state, either in its natural form or as processed by the

1 producer, including woodchips.

2 (2) "Division" means the Texas Division of Emergency
3 Management.

4 (b) Notwithstanding any other law, the department may issue
5 a special permit to an oversize or overweight vehicle or load that:

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

7 (2) will be used only to deliver agricultural
8 commodities.

9 (c) The department may issue a permit under this section
10 only:

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

16 (2) preceding an event that may result in a
17 declaration of a state of disaster under Section 418.014,
18 Government Code, if issuance of the permit for the event is
19 authorized by the division.

20 (d) A person may file an application to the division in the
21 manner prescribed by the division requesting that the division
22 authorize the issuance of a permit preceding an event described by
23 Subsection (c)(2). If the division authorizes the issuance of the
24 permit, the division shall notify the department of that decision
25 in the manner prescribed by the department and include in the notice
26 the counties in which a vehicle issued the permit may be operated.

27 (e) Subject to Subsection (f), a permit under this section

1 that is issued under:

2 (1) Subsection (c)(1) expires not later than the 10th
3 day after the expiration of the disaster or emergency declaration;
4 or

5 (2) Subsection (c)(2) expires not later than the 10th
6 day after the date the department receives notice from the division
7 under Subsection (d) authorizing the issuance of the permit.

8 (f) A permit under this section that is issued under
9 Subsection (c)(2) shall convert into a permit under Subsection
10 (c)(1) upon an emergency or major disaster as declared by the
11 president of the United States under the Robert T. Stafford
12 Disaster Relief and Emergency Assistance Act (42 U.S.C. Section
13 5121 et seq.) or following a declaration of a state of disaster
14 under Section 418.014, Government Code.

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

18 Sec. 623.453. PERMIT CONDITIONS. The department may impose
19 conditions on a permit holder to ensure the safe operation of a
20 permitted vehicle and minimize damage to roadways, including
21 requirements related to vehicle routing, hours of operation, weight
22 limits, and lighting and requirements for escort vehicles.

23 Sec. 623.454. INTERSTATE AND DEFENSE HIGHWAYS AND FEDERAL
24 AID PRIMARY HIGHWAY SYSTEM. (a) This subchapter does not authorize
25 the operation on the national system of interstate and defense
26 highways or the federal aid primary highway system in this state of
27 a vehicle with a size or weight greater than those permitted under

1 23 U.S.C. Section 127 or 49 U.S.C. Sections 31111 through 31114.

2 (b) If the United States authorizes the operation on the
3 national system of interstate and defense highways or the federal
4 aid primary highway system of a vehicle with a size or weight
5 greater than those permitted under 23 U.S.C. Section 127 or 49
6 U.S.C. Sections 31111 through 31114 on September 1, 2025, the new
7 limit automatically takes effect on the national system of
8 interstate and defense highways or the federal aid primary highway
9 system in this state.

10 SECTION 5. The change in law made by this Act to Section
11 [162.235](#), Tax Code, applies only to conduct that occurs on or after
12 the effective date of this Act. Conduct that occurred before the
13 effective date of this Act is governed by the law in effect on the
14 date the conduct occurred, and the former law is continued in effect
15 for that purpose. For purposes of this section, conduct occurred
16 before the effective date of this Act if any element of the conduct
17 occurred before that date.

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