

**SUBJECT:** Permits for the operation of certain heavy vehicles

**COMMITTEE:** Transportation — favorable, without amendment

**VOTE:** 7 ayes — Alexander, Siebert, Y. Davis, Hamric, Hawley, Noriega, Uher  
0 nays  
2 absent — Edwards, Hill

**SENATE VOTE:** On final passage, Local and Uncontested Calendar, April 8 — 30-0

**WITNESSES:** None

**BACKGROUND:** Transportation Code, sec. 623.162 requires the owner of a vehicle used exclusively to transport solid waste to file a surety bond up to a maximum of \$15,000 with the Texas Department of Transportation (TxDOT) if the vehicle has a tandem axle load of greater than 34,000 pounds. Transportation Code, Chapter 622, subchapters B and J require a bond for owners of ready-mix concrete vehicles and recycling vehicles respectively that exceed tandem axle load standards for the respective vehicles.

**DIGEST:** SB 1648 would require operators of solid waste, recycling, and ready-made concrete vehicles to obtain a permit to operate on state highways for each vehicle that has a tandem axle weight heavier than than 34,000 pounds or that exceeded the other weight requirements in Transportation Code, sec. 621.101. A permit would cost \$20 per vehicle for one year or \$40 per vehicle for two years. TxDOT would have to send permit fees to the comptroller for deposit into the state highway fund. Municipalities or counties could operate such vehicles without a permit if the vehicles did not exceed the weight requirements listed below.

Solid waste and recycling vehicles could operate on a public highway with a permit if they met the following requirements:

- ! a tandem axle load of 44,000 pounds or less;
- ! a single axle load of 21,000 pounds or less; and
- ! a gross load of 64,000 pounds or less.

Ready-mix concrete vehicles could operate on a public highway with a permit if they met the following requirements:

- ! a tandem axle load of 46,000 pounds or less; and
- ! a single axle load of 23,000 pounds or less.

A vehicle could exceed the tandem axle or single axle loads by 10 percent of the maximum allowed if the gross load did not exceed 69,000 pounds.

The bill would create an offense if a person who held a permit under the bill operated or directed the operation of a permitted vehicle that violated the weight limits for the vehicle. Vehicle operators could hold permits under the bill only if they were registered as motor carriers under Transportation Code, chapters 643 or 645.

The bill would remove the requirement for solid waste, recycling, and ready-mix concrete vehicle operators to file a surety bond with TxDOT to operate on public highways. The bill would make conforming changes by transferring regulations for ready-mix concrete and recycling vehicles from Transportation Code, chapter 622, subchapters B and J to chapter 623, subchapters L and M as created by the bill.

The bill would take effect on January 1, 2000.

**SUPPORTERS  
SAY:**

SB 1648 would allow TxDOT to recover permit fees to license certain heavy vehicles that are currently paid to bond companies for surety bonds. The use of permit fees would provide TxDOT with funds to cover the administrative costs of licensing and regulating the use of solid waste, recycling and ready-mix concrete vehicles. The permit fees are not intended to fund road repairs or any other TxDOT need.

The permit fees are based on the average rate charged by bond companies for a \$15,000 bond. The fees would not increase the cost of doing business for vehicle operators. The bill would not change the weight requirements or the applicable penalties currently in place for the vehicles affected by the bill.

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OPPONENTS      No apparent opposition.  
SAY: