

BILL ANALYSIS

Senate Research Center
77R3466 JD-F

S.B. 889
By: Ogden
State Affairs
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As Filed

DIGEST AND PURPOSE

Under current law, trucks that carry overweight loads must purchase a 2060 permit. In order to purchase that permit, truck operators must have a \$15,000 bond. Concrete, solid waste, and recycleable material haulers are exempt from the 2060 permit requirement; however, they are still required to have a \$15,000 bond. When an overweight truck is stopped by a Department of Public Safety (DPS) trooper, the officer knows the truck operator is complying with certain bond requirements if he or she has a 2060 permit. However, if a concrete, solid waste, or recycling truck is stopped, the trooper must verify that its operator is complying with the bond requirement by calling the Texas Department of Transportation. This causes extra work for the trooper and delays for the truck operator. As proposed, S.B. 889 requires all truck drivers, including drivers of concrete, solid waste, and recycling trucks, to carry proof of a \$15,000 bond to cover potential road damage.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 622.013, Transportation Code, by adding Subsection (c), to require a copy of the bond to be carried on the vehicle when the vehicle is on a public highway and presented to an officer authorized to enforce this chapter on request of the officer.

SECTION 2. Amends Section 622.017, Transportation Code, by amending Subsection (b) to make a conforming change and adding Subsection (d), to provide that a person commits an offense if the person fails in violation of Section 622.013(c) to carry or present the copy of the bond filed with the Texas Department of Transportation (department). Provides that an offense under this subsection is a misdemeanor punishable by a fine not to exceed \$200.

SECTION 3. Amends Section 622.133, Transportation Code, to authorize a single vehicle used exclusively to transport recyclable materials to be operated on a public highway only under certain conditions.

SECTION 4. Amends Section 622.134, Transportation Code, by adding Subsection (d), to make a conforming change.

SECTION 5. Amends Section 622.136, Transportation Code, by amending Subsection (b) to make a conforming change and adding Subsection (d), to provide that a person commits an offense if the person fails in violation of Section 622.134(d) to carry or present the copy of the bond filed with the department. Makes a conforming change.

SECTION 6. Amends Section 623.163, Transportation Code, by adding Subsection (d), to make a conforming change.

SECTION 7. Amends Section 623.165, Transportation Code, by amending Subsection (b) to make a conforming change and adding Subsection (d), to provide that a person commits an offense if the person fails in violation of Section 623.163(d) to carry or present the copy of the bond filed with the department. Makes a conforming change.

SECTION 8. Effective date: September 1, 2001.