

## **BILL ANALYSIS**

Senate Research Center  
79R2093 DWS-F

H.B. 341  
By: Seaman (Armbrister)  
Transportation & Homeland Security  
4/29/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The 74th Legislature, Regular Session, 1995, passed S.B. 3 pertaining to the transportation of household goods. Section 643.051, Transportation Code, requires all carriers of household goods to register their operations with the Texas Department of Transportation (TxDOT). This registration process must be renewed either annually or biannually. While all household goods carriers are transporters of goods over highways of this state, only those household goods carriers operating commercial vehicles are required to maintain proof of liability insurance with TxDOT.

H.B. 341 requires, as part of TxDOT's registration process, all household goods carriers, regardless of the size of vehicle they operate, to file with TxDOT proof of cargo loss and damage coverage.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Department of Transportation is modified in SECTION 2 (Section 643.153, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 643.051, Transportation Code, as follows:

Sec. 643.051. REGISTRATION REQUIRED. (a) Creates this subsection from existing text.

(b) Prohibits a motor carrier from operating a vehicle, regardless of the size of the vehicle, to transport household goods for compensation unless the carrier registers with the Texas Department of Transportation (TxDOT) under this subchapter.

SECTION 2. Amends Section 643.153(b), Transportation Code, to delete existing text requiring the rules adopted by TxDOT to ensure that a customer of a motor carrier transporting household goods is protected from deceptive or unfair practices and unreasonably hazardous activities to require motor carriers who are required to register to take certain actions.

SECTION 3. Amends Section 643.155(c), Transportation Code, to delete existing text requiring the rules advisory committee to conduct a study and recommend a maximum level of liability limitation. Makes conforming changes.

SECTION 4. Amends Section 643.252(a), Transportation Code, to authorize TxDOT to suspend or revoke a registration issued under this chapter or place on probation a motor carrier whose registration is suspended if a motor carrier fails to maintain insurance or evidence of financial responsibility as required by Section 643.101(a), (b), (c), or (d), rather than those subsections or Section 643.153(b).

SECTION 5. Amends Sections 643.253(a), (b), and (e), Transportation Code, as follows:

(a) Provides that a person commits an offense if the person fails to register as required by Subchapter B, rather than Subchapter B, Section 643.153(c) or to maintain insurance or evidence of financial responsibility as required by Subchapter C, rather than Section 643.153.

(b) Makes a conforming change.

(e) Provides that an offense under Subsection (b) is a misdemeanor punishable by a fine of not less than \$200 or more than \$1,000 per violation.

SECTION 6. Repealer: Section 643.153(c) (Motor Carrier Transporting Household Goods), Transportation Code.

SECTION 7. Effective date: September 1, 2005.