

BILL ANALYSIS

Senate Research Center

H.B. 3309
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Transportation & Homeland Security
5/9/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Transportation Commission (TTC) has authority to set a maximum weight for a vehicle or combination of vehicles and loads that may be moved over a state highway or farm or ranch road if TTC finds that a heavier weight would rapidly deteriorate or destroy the road or a bridge or culvert along the road. In a 2009 report, the State Auditor recommended allowing the Texas Department of Transportation (TxDOT), rather than TTC, to set the maximum vehicle weight for a state-owned bridge to expedite implementation of restrictions that may be necessary for public safety.

H.B. 3309 seeks to expedite the process of setting maximum vehicle weights by transferring authority from TTC to TxDOT.

H.B. 3309 amends current law relating to the authority to set maximum weights for state highways, roads, and bridges.

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 621.102, Transportation Code, as follows:

Sec. 621.102. New heading: **AUTHORITY TO SET MAXIMUM WEIGHTS.** (a) Authorizes the executive director of the Texas Department of Transportation (director), rather than the Texas Transportation Commission (TTC), to set the maximum single axle weight, tandem axle weight, or gross weight of a vehicle, or maximum single axle weight, tandem axle weight, or gross weight of a combination of vehicles and loads, that may be moved over a state highway or a farm or ranch road if the director, rather than TTC, finds that heavier maximum weight would rapidly deteriorate or destroy the road or a bridge or culvert along the road.

(b) Creates this subsection from existing Subsection (c). Requires the director, rather than TTC, to make the finding under this section on an engineering and traffic investigation and in making the finding to consider the width, condition, and type of pavement structures and other circumstances on the road. Deletes existing text requiring TTC to set a maximum weight under this section by order entered in its minutes.

(c) Redesignates existing Subsection (d) as Subsection (c). Provides that a maximum weight or load set under this section becomes effective on a highway or road when appropriate signs giving notice of the maximum weight or load are erected on the highway or road, rather than erected on the highway or road under order of TTC.

(d) Redesignates existing Subsection (e) as Subsection (d). Authorizes a vehicle operating under a permit issued under Section 623.011 (Permit for Excess Axle or

Gross Weight), 623.071 (Permit to Move Certain Heavy Equipment), 623.094 (Permit Issuance), 623.121 (Permit to Move Portable Building Unit), 623.142 (Permit to Move Oil Well Servicing or Drilling Machinery), 623.181 (Annual Permit), 623.192 (Permit to Move Unladen Lift Equipment Motor), or 623.212 (Permits by Port Authority) to operate under the conditions authorized by the permit over a road for which the director, rather than TTC, has set a maximum weight under this section.

(e) Redesignates existing Subsection (f) as Subsection (e). Makes no further changes.

(f) Redesignates existing Subsection (g) as Subsection (f). Makes no further changes.

SECTION 2. Effective date: upon passage or September 1, 2011.