

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 2861
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Transportation
5/22/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The differences in weight limit regulations for trucks between Texas and the United Mexican States are requiring some companies operating along the border to unload their shipments before crossing the border and to divide shipments into multiple trucks before driving on international bridges. This is a highly inefficient process that could be avoided by the designation of an overweight truck corridor along parts of the Texas-Mexico border. The City of Laredo, production and shipping companies, and the local economic development corporation support the designation of overweight vehicle corridors to eliminate unnecessary stops and promote efficiency.

H.B. 2861 allows the City of Laredo to issue permits for the movement of oversize or overweight vehicles. (Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 2861 amends current law relating to an optional procedure for the issuance of a permit by the City of Laredo for the movement of oversize or overweight vehicles carrying cargo in Webb County and authorizes a fee.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 1 (Section 623.390, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 623, Transportation Code, by adding Subchapter T, as follows:

SUBCHAPTER T. WEBB COUNTY PERMITS

Sec. 623.381. OPTIONAL PROCEDURE. Provides that this subchapter provides an optional procedure for the issuance of a permit by the City of Laredo for the movement of oversize or overweight vehicles carrying cargo on certain roadways located in Webb County.

Sec. 623.382. ISSUANCE OF PERMITS. (a) Authorizes the Texas Transportation Commission (TTC) to authorize the City of Laredo to issue permits for the movement of oversize or overweight vehicles carrying cargo in Webb County on the following roadways:

- (1) Farm-to-Market Road 1472 between its intersection with State Highway Loop 20 and the northernmost of its intersections with World Trade Center Loop;
- (2) Farm-to-Market Road 1472 between the northernmost of its intersections with World Trade Center Loop and its intersection with Hachar Loop, if the Hachar Loop project in Webb County is constructed;

(3) Hachar Loop between its intersection with Farm-to-Market Road 1472 and its intersection with Interstate Highway 35, if the Hachar Loop project in Webb County is constructed; and

(4) Beltway Parkway between its intersection with Hachar Loop and its intersection with Interstate Highway 35, if the Hachar Loop project in Webb County is constructed.

(b) Authorizes the City of Laredo, in addition to the roadways described by Subsection (a), to designate and issue permits for the movement of oversize or overweight vehicles carrying cargo in Webb County on roadways under the city's jurisdiction and control.

Sec. 623.383. SURETY BOND. Authorizes TCC to require the City of Laredo to execute, at its own expense, a surety bond payable to the Texas Department of Transportation (TxDOT) in an amount of not less than \$500,000 for costs of maintenance for the roadways described by Section 623.382(a).

Sec. 623.384. PERMIT FEES. (a) Authorizes the City of Laredo to collect a fee for permits issued under this subchapter. Prohibits the maximum amount of the fee, except as otherwise provided by this subsection, from exceeding \$200 per trip. Authorizes the city, on September 1 of each year, to adjust the maximum fee amount as necessary to reflect the percentage change during the preceding year in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, published monthly by the United States Bureau of Labor Statistics or its successor in function.

(b) Provides that fees collected under Subsection (a) may be used only for the operation and maintenance of the roadways described by or designated under Section 623.382 and for the City of Laredo's administrative costs, which may not exceed 15 percent of the fees collected.

(c) Requires that the distribution of the fees collected under Subsection (a) less the City of Laredo's administrative costs be distributed between the state and the city based on lane mile calculations between on and off system roadways subject to this subchapter. Requires that lane mile calculations be adjusted on a biannual basis.

(d) Requires the City of Laredo to send the state's portion of the fees collected under Subsection (a) to the comptroller of public accounts of the State of Texas for deposit to the credit of the state highway fund. Provides that fees deposited in the state highway fund under this section are exempt from the application of Section 403.095 (Use of Dedicated Revenue), Government Code.

Sec. 623.385. PERMIT REQUIREMENTS. (a) Requires that a permit issued under this subchapter include:

(1) the name of the applicant;

(2) the date of issuance;

(3) the signature of the designated agent for the City of Laredo;

(4) a statement of the kind of cargo being transported, the maximum weight and dimensions of the equipment, and the kind and weight of each commodity to be transported;

(5) a statement:

(A) that the gross weight of the vehicle for which a permit is issued may not exceed 125,000 pounds; and

(B) of any other condition on which the permit is issued;

(6) a statement that the cargo may be transported in Webb County only over the roadways described by or designated under Section 623.382;

(7) a statement that the permit does not authorize the transportation of the cargo on an interstate highway; and

(8) the location where the cargo was loaded.

(b) Requires the City of Laredo to report to the Texas Department of Motor Vehicles (TxDMV) all permits issued under this subchapter.

Sec. 623.386. TIME OF MOVEMENT. Requires that a permit issued under this subchapter specify the time during which movement authorized by the permit is allowed.

Sec. 623.387. SPEED LIMIT. Prohibits movement authorized by a permit issued under this subchapter from exceeding the posted speed limit or 55 miles per hour, whichever is less. Provides that a violation of this provision constitutes a moving violation.

Sec. 623.388. ENFORCEMENT. Provides that the Department of Public Safety of the State of Texas has authority to enforce this subchapter.

Sec. 623.389. PAVEMENT MANAGEMENT PLAN. Requires TxDOT to create a pavement management plan for the roadways described by Section 623.382(a).

Sec. 623.390. RULES. Authorizes TTC to adopt rules necessary to implement this subchapter.

SECTION 2. Authorizes the City of Laredo to adjust the maximum fee amount as provided by Section 623.384, Transportation Code, as added by this Act, beginning September 1, 2016.

SECTION 3. Effective date: September 1, 2015.