

1-1 By: Raymond (Senate Sponsor - Zaffirini) H.B. No. 2861
 1-2 (In the Senate - Received from the House May 6, 2015;
 1-3 May 11, 2015, read first time and referred to Committee on
 1-4 Transportation; May 24, 2015, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 2;
 1-6 May 24, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14		X		
1-15	X			
1-16	X			
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 2861 By: Hancock

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to an optional procedure for the issuance of a permit by
 1-22 the City of Laredo for the movement of oversize or overweight
 1-23 vehicles carrying cargo in Webb County; authorizing a fee.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Chapter 623, Transportation Code, is amended by
 1-26 adding Subchapter T to read as follows:

1-27 SUBCHAPTER T. WEBB COUNTY PERMITS

1-28 Sec. 623.381. OPTIONAL PROCEDURE. This subchapter provides
 1-29 an optional procedure for the issuance of a permit by the City of
 1-30 Laredo for the movement of oversize or overweight vehicles carrying
 1-31 cargo on certain roadways located in Webb County.

1-32 Sec. 623.382. ISSUANCE OF PERMITS. (a) The commission may
 1-33 authorize the City of Laredo to issue permits for the movement of
 1-34 oversize or overweight vehicles carrying cargo in Webb County on
 1-35 the following roadways:

1-36 (1) Farm-to-Market Road 1472 between its intersection
 1-37 with State Highway Loop 20 and the northernmost of its
 1-38 intersections with World Trade Center Loop;

1-39 (2) Farm-to-Market Road 1472 between the northernmost
 1-40 of its intersections with World Trade Center Loop and its
 1-41 intersection with Hachar Loop, if the Hachar Loop project in Webb
 1-42 County is constructed;

1-43 (3) Hachar Loop between its intersection with
 1-44 Farm-to-Market Road 1472 and its intersection with Interstate
 1-45 Highway 35, if the Hachar Loop project in Webb County is
 1-46 constructed; and

1-47 (4) Beltway Parkway between its intersection with
 1-48 Hachar Loop and its intersection with Interstate Highway 35, if the
 1-49 Hachar Loop project in Webb County is constructed.

1-50 (b) In addition to the roadways described by Subsection (a),
 1-51 the City of Laredo may designate and issue permits for the movement
 1-52 of oversize or overweight vehicles carrying cargo in Webb County on
 1-53 roadways under the city's jurisdiction and control.

1-54 Sec. 623.383. SURETY BOND. The commission may require the
 1-55 City of Laredo to execute, at its own expense, a surety bond payable
 1-56 to the Texas Department of Transportation in an amount of not less
 1-57 than \$500,000 for costs of maintenance for the roadways described
 1-58 by Section 623.382(a).

1-59 Sec. 623.384. PERMIT FEES. (a) The City of Laredo may
 1-60 collect a fee for permits issued under this subchapter. Except as

2-1 otherwise provided by this subsection, the maximum amount of the
2-2 fee may not exceed \$200 per trip. On September 1 of each year, the
2-3 city may adjust the maximum fee amount as necessary to reflect the
2-4 percentage change during the preceding year in the Consumer Price
2-5 Index for All Urban Consumers (CPI-U), U.S. City Average, published
2-6 monthly by the United States Bureau of Labor Statistics or its
2-7 successor in function.

2-8 (b) Fees collected under Subsection (a) may be used only for
2-9 the operation and maintenance of the roadways described by or
2-10 designated under Section 623.382 and for the City of
2-11 Laredo's administrative costs, which may not exceed 15 percent of
2-12 the fees collected.

2-13 (c) The distribution of the fees collected under Subsection
2-14 (a) less the City of Laredo's administrative costs must be
2-15 distributed between the state and the city based on lane mile
2-16 calculations between on and off system roadways subject to this
2-17 subchapter. Lane mile calculations must be adjusted on a biannual
2-18 basis.

2-19 (d) The City of Laredo shall send the state's portion of the
2-20 fees collected under Subsection (a) to the comptroller for deposit
2-21 to the credit of the state highway fund. Fees deposited in the
2-22 state highway fund under this section are exempt from the
2-23 application of Section 403.095, Government Code.

2-24 Sec. 623.385. PERMIT REQUIREMENTS. (a) A permit issued
2-25 under this subchapter must include:

- 2-26 (1) the name of the applicant;
- 2-27 (2) the date of issuance;
- 2-28 (3) the signature of the designated agent for the City
2-29 of Laredo;

- 2-30 (4) a statement of the kind of cargo being
2-31 transported, the maximum weight and dimensions of the equipment,
2-32 and the kind and weight of each commodity to be transported;

- 2-33 (5) a statement:
 - 2-34 (A) that the gross weight of the vehicle for
2-35 which a permit is issued may not exceed 125,000 pounds; and
 - 2-36 (B) of any other condition on which the permit is
2-37 issued;

- 2-38 (6) a statement that the cargo may be transported in
2-39 Webb County only over the roadways described by or designated under
2-40 Section 623.382;

- 2-41 (7) a statement that the permit does not authorize the
2-42 transportation of the cargo on an interstate highway; and

- 2-43 (8) the location where the cargo was loaded.

2-44 (b) The City of Laredo shall report to the department all
2-45 permits issued under this subchapter.

2-46 Sec. 623.386. TIME OF MOVEMENT. A permit issued under this
2-47 subchapter must specify the time during which movement authorized
2-48 by the permit is allowed.

2-49 Sec. 623.387. SPEED LIMIT. Movement authorized by a permit
2-50 issued under this subchapter may not exceed the posted speed limit
2-51 or 55 miles per hour, whichever is less. A violation of this
2-52 provision constitutes a moving violation.

2-53 Sec. 623.388. ENFORCEMENT. The Department of Public Safety
2-54 has authority to enforce this subchapter.

2-55 Sec. 623.389. PAVEMENT MANAGEMENT PLAN. The Texas
2-56 Department of Transportation shall create a pavement management
2-57 plan for the roadways described by Section 623.382(a).

2-58 Sec. 623.390. RULES. The commission may adopt rules
2-59 necessary to implement this subchapter.

2-60 SECTION 2. The City of Laredo may adjust the maximum fee
2-61 amount as provided by Section 623.384, Transportation Code, as
2-62 added by this Act, beginning September 1, 2016.

2-63 SECTION 3. This Act takes effect September 1, 2015.

2-64 * * * * *