

1-1 By: Hughes S.B. No. 1939
 1-2 (In the Senate - Filed March 10, 2017; March 27, 2017, read
 1-3 first time and referred to Committee on Transportation;
 1-4 May 18, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; May 18, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
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 S.B. No. 1939 By: Hall

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

1-21 relating to permits for the movement of intermodal shipping
 1-22 containers; authorizing a fee.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter B, Chapter 623, Transportation Code,
 1-25 is amended by adding Section 623.0172 to read as follows:

1-26 Sec. 623.0172. PERMIT FOR INTERMODAL SHIPPING CONTAINER.

1-27 (a) In this section, "intermodal shipping container" means an
 1-28 enclosed, standardized, reusable container that:

1-29 (1) is used to pack, ship, move, or transport cargo;

1-30 (2) is designed to be carried on a semitrailer and
 1-31 loaded onto or unloaded from:

1-32 (A) a ship or vessel for international
 1-33 transportation; or

1-34 (B) a rail system for international
 1-35 transportation; and

1-36 (3) when combined with vehicles transporting the
 1-37 container, has a gross weight or axle weight that exceeds the limits
 1-38 allowed by law to be transported over a state highway or county or
 1-39 municipal road.

1-40 (b) The department shall issue an annual permit for the
 1-41 international transportation of an intermodal shipping container
 1-42 moving by a truck-tractor and semitrailer combination that has six
 1-43 total axles and is equipped with a roll stability support safety
 1-44 system and truck blind spot systems only if:

1-45 (1) the gross weight of the combination does not
 1-46 exceed 93,000 pounds;

1-47 (2) the distance between the front axle of the
 1-48 truck-tractor and the last axle of the semitrailer, measured
 1-49 longitudinally, is approximately 647 inches;

1-50 (3) the truck-tractor is configured as follows:

1-51 (A) one single axle that does not exceed 13,000
 1-52 pounds;

1-53 (B) one two-axle group that does not exceed
 1-54 37,000 pounds, in which no axle in the group exceeds 18,500 pounds;
 1-55 and

1-56 (C) the distance between the individual axles on
 1-57 the two-axle group of the truck-tractor, measured longitudinally,
 1-58 is not less than 51 inches and not more than 52 inches; and

1-59 (4) the semitrailer is configured as follows:

1-60 (A) one three-axle group that does not exceed

2-1 49,195 pounds, in which no axle in the group exceeds 16,400 pounds;
2-2 and
2-3 (B) the distance between the individual axles in
2-4 the three-axle group of the semitrailer, measured longitudinally,
2-5 is 60 inches.
2-6 (c) The department shall restrict vehicles operating under
2-7 a permit issued under this section to routes that are:
2-8 (1) located in a county with a population of more than
2-9 90,000;
2-10 (2) on highways in the state highway system; and
2-11 (3) not more than five miles from the border between
2-12 this state and Arkansas.
2-13 (d) An intermodal shipping container being moved under a
2-14 permit issued under this section must be continuously sealed from
2-15 the point of origin to the point of destination with a seal that is
2-16 required by:
2-17 (1) the United States Customs and Border Protection;
2-18 (2) the United States Food and Drug Administration; or
2-19 (3) federal law or regulation.
2-20 (e) A permit issued under this section does not authorize
2-21 the operation of a vehicle combination described by Subsection (b)
2-22 on:
2-23 (1) load-restricted roads or bridges, including a road
2-24 or bridge for which a maximum weight and load limit has been
2-25 established and posted by the Texas Department of Transportation
2-26 under Section 621.102; or
2-27 (2) routes for which the Texas Department of
2-28 Transportation has not authorized the operation of a vehicle
2-29 combination described by Subsection (b).
2-30 (f) A permit issued under this subchapter does not authorize
2-31 the transportation of a material designated as of January 1, 2017,
2-32 as a hazardous material by the United States secretary of
2-33 transportation under 49 U.S.C. Section 5103(a).
2-34 (g) An applicant for a permit under this section must
2-35 designate each Texas Department of Transportation district in which
2-36 the permit will be used.
2-37 (h) The department shall initially set the fee for a permit
2-38 issued under this section in an amount not to exceed \$2,000.
2-39 Beginning in 2022, on September 1 of each even-numbered year the
2-40 department shall set the fee for a permit issued under this section
2-41 in an amount based on a reasonable estimate of the costs associated
2-42 with the operation of vehicles issued a permit under this section
2-43 over routes described by Subsection (c), including any increase in
2-44 the costs necessary to maintain or repair those highways. The
2-45 estimate shall be based on the results of the study conducted under
2-46 Subsection (l).
2-47 (i) Of the fee collected under this section for a permit:
2-48 (1) 90 percent shall be deposited to the credit of the
2-49 state highway fund;
2-50 (2) 5 percent shall be deposited to the credit of the
2-51 Texas Department of Motor Vehicles fund; and
2-52 (3) 5 percent shall be deposited to the appropriate
2-53 county road and bridge fund.
2-54 (j) A fee deposited under Subsection (i)(1) may only be used
2-55 for transportation projects in the Texas Department of
2-56 Transportation district designated in the permit application for
2-57 which the fee was assessed.
2-58 (k) The department may suspend a permit issued under this
2-59 section if the department receives notice from the Federal Highway
2-60 Administration that the operation of a vehicle under a permit
2-61 authorized by this section would result in the loss of federal
2-62 highway funding.
2-63 (l) Beginning in 2022, not later than September 1 of each
2-64 even-numbered year, the Texas Department of Transportation shall
2-65 conduct a study concerning vehicles operating under a permit issued
2-66 under this section and publish the results of the study. In
2-67 conducting the study, the Texas Department of Transportation shall
2-68 collect and examine the following information:
2-69 (1) the weight and configuration of vehicles operating

3-1 under a permit under this section that are involved in a motor
3-2 vehicle accident;
3-3 (2) the types of vehicles operating under a permit
3-4 issued under this section;
3-5 (3) traffic volumes and variations of vehicles
3-6 operating under a permit issued under this section;
3-7 (4) weigh-in-motion data for highways located in and
3-8 around the area described by Subsection (c);
3-9 (5) impacts to state and local bridges, including
3-10 long-term bridge performance, for bridges located in and around the
3-11 area described by Subsection (c); and
3-12 (6) impacts to state and local roads, including
3-13 changes in pavement design standards, construction specification
3-14 details, maintenance frequency and types, and properties of
3-15 pavement and underlying soils resulting from or necessitated by
3-16 vehicles operating under a permit issued under this section.
3-17 SECTION 2. This Act takes effect September 1, 2017.

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