



17 MAY 12 AM 10:23

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Pickett

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Chapter 622, Transportation Code, is amended
5 by adding Subchapter K to read as follows:

6 SUBCHAPTER K. AUTOMOBILE TRANSPORTERS

7 Sec. 622.151. DEFINITIONS. In this subchapter:

8 (1) "Automobile transporter" means any vehicle
9 combination designed and used for the transport of assembled motor
10 vehicles, including a truck-tractor as defined by Section
11 621.001(8)(A).

12 (2) "Backhaul" means the return trip of a vehicle
13 transporting cargo or general freight.

14 (3) "Stinger-steered" means a truck-tractor and
15 semitrailer combination in which the fifth wheel is located on a
16 drop frame located behind and below the rearmost axle of the
17 truck-tractor.

18 Sec. 622.152. AUTOMOBILE TRANSPORTER BACKHAULS. (a) An
19 automobile transporter that complies with the weight and size
20 limitations for a truck-tractor and semitrailer combination under
21 this subtitle may transport cargo or general freight on a backhaul.

22 (b) For purposes of Subsection (a), an automobile
23 transporter is presumed to be on a backhaul if the automobile
24 transporter is transporting cargo or general freight back over all
25 or part of the same route.

26 Sec. 622.153. MAXIMUM EXTENDED LENGTH OF LOAD.
27 Notwithstanding Section 621.206, an automobile transporter that is
28 stinger-steered may carry a load that extends not more than:

29 (1) four feet beyond its front; and

1 (2) six feet beyond its rear.

2 SECTION _____. Section 622.902, Transportation Code, is
3 amended to read as follows:

4 Sec. 622.902. LENGTH EXCEPTIONS. The length limitations
5 provided by Sections 621.203 to 621.205 do not apply to:

6 (1) machinery used exclusively for drilling water
7 wells, including machinery that is itself a unit or that is a unit
8 mounted on a conventional vehicle or chassis;

9 (2) a vehicle owned or operated by a public, private,
10 or volunteer fire department;

11 (3) a vehicle or combination of vehicles operated
12 exclusively in the territory of a municipality or to a combination
13 of vehicles operated by a municipality in a suburb adjoining the
14 municipality in which the municipality has been using the equipment
15 or similar equipment in connection with an established service to
16 the suburb;

17 (4) a truck-tractor, truck-tractor combination, or
18 truck-trailer combination exclusively transporting machinery,
19 materials, and equipment used in the construction, operation, and
20 maintenance of facilities, including pipelines, that are used for
21 the discovery, production, and processing of natural gas or
22 petroleum;

23 (5) a drive-away saddlemount vehicle transporter
24 combination or a drive-away saddlemount with fullmount vehicle
25 transporter combination, as defined by 23 C.F.R. Part 658 or its
26 successor, if:

27 (A) the overall length of the combination is not
28 longer than 97 feet; and

29 (B) the combination does not have more than three
30 saddlemounted vehicles if the combination does not include more
31 than one fullmount vehicle;

1 (6) the combination of a tow truck and another vehicle
2 or vehicle combination if:

3 (A) the other vehicle or vehicle combination
4 cannot be normally or safely driven or was abandoned on a highway;
5 and

6 (B) the tow truck is towing the other vehicle or
7 vehicle combination directly to the nearest authorized place of
8 repair, terminal, or destination of unloading;

9 (7) a vehicle or combination of vehicles used to
10 transport a harvest machine that is used in farm custom harvesting
11 operations on a farm if the overall length of the vehicle or
12 combination is not longer than:

13 (A) 75 feet if the vehicle is traveling on a
14 highway that is part of the national system of interstate and
15 defense highways or the federal aid primary highway system; or

16 (B) 81-1/2 feet if the vehicle is not traveling
17 on a highway that is part of the national system of interstate and
18 defense highways or the federal aid primary highway system; [~~or~~]

19 (8) a truck-tractor operated in combination with a
20 semitrailer and trailer or semitrailer and semitrailer if:

21 (A) the combination is used to transport a
22 harvest machine that is used in farm custom harvesting operations
23 on a farm;

24 (B) the overall length of the combination,
25 excluding the length of the truck-tractor, is not longer than
26 81-1/2 feet; and

27 (C) the combination is traveling on a highway
28 that:

29 (i) is not part of the national system of
30 interstate and defense highways or the federal aid primary highway
31 system; and

(ii) is located in a county with a population of less than 300,000; or

(9) a towaway trailer transporter combination, as defined by 49 U.S.C. Section 31111, if the overall length of the combination is not longer than 82 feet.

SECTION _____. Section 622.952, Transportation Code, is amended to read as follows:

Sec. 622.952. EMERGENCY [~~FIRE DEPARTMENT~~] VEHICLE. (a) The weight limitations of Section 621.101 do not apply to an emergency [~~a~~] vehicle [~~owned or operated by a public, private, or volunteer fire department~~].

(b) The weight of an emergency [~~a fire department's~~] vehicle may not exceed the greater of:

(1) [~~be heavier than~~] the manufacturer's gross vehicle weight capacity or axle design rating; or

(2) including all enforcement tolerances, a:

(A) gross weight of 86,000 pounds;

(B) single steering axle weight of 24,000 pounds;

(C) single drive axle weight of 33,500 pounds;

(D) tandem axle weight of 62,000 pounds; or

(E) tandem rear drive steer axle weight of 52,000 pounds.

(c) In this section, "emergency vehicle" means a vehicle designed to be used under emergency conditions:

(1) to transport personnel and equipment; and

(2) to support the suppression of fires and mitigation of other hazardous situations.

SECTION _____. Section 622.955(c), Transportation Code, is amended to read as follows:

(c) The weight increase under Subsection (b) may not be greater than 500 [~~400~~] pounds.

SECTION _____. Sections 623.071(a), (c), and (c-1),
Transportation Code, are amended to read as follows:

(a) The department may issue a permit to allow the operation
on ~~[a person to operate over]~~ a state highway of ~~[superheavy or~~
~~oversize]~~ equipment that exceeds the weight and size limits
provided by law for the movement of equipment [+

~~[(1) is used to transport cylindrically shaped bales of~~
~~hay]~~ or a commodity that cannot reasonably be dismantled~~[, and~~

~~[(2) has a gross weight or size that exceeds the limits~~
~~allowed by law to be transported over a state highway].~~

(c) The department may issue an annual permit to allow the
operation on a state highway of equipment that exceeds weight and
size limits provided by law for the movement of:

(1) an implement of husbandry by a dealer;

(2) water well drilling machinery and equipment or
harvesting equipment being moved as part of an agricultural
operation; or

(3) ~~[superheavy or oversize]~~ equipment or a commodity
that:

(A) cannot reasonably be dismantled; and

(B) does not exceed:

(i) 12 feet in width;

(ii) 14 feet in height;

(iii) 110 feet in length; or

(iv) 120,000 pounds gross weight.

(c-1) The department may issue an annual permit that allows
a person to operate over a state highway or road a vehicle or
combination of vehicles transporting a load that cannot reasonably
be dismantled that exceeds the length and height limits provided by
law, except that:

(1) the maximum length allowed may not exceed 110

1 feet; and

2 (2) the maximum height allowed may not exceed 14 feet.

3 SECTION _____. The change in law made by this Act applies only
4 to an offense committed on or after the effective date of this Act.
5 An offense committed before the effective date of this Act is
6 governed by the law in effect on the date the offense was committed,
7 and the former law is continued in effect for that purpose. For
8 purposes of this section, an offense was committed before the
9 effective date of this Act if any element of the offense occurred
10 before that date.