

## **BILL ANALYSIS**

C.S.H.B. 2085  
By: Muñoz, Jr.  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Overweight corridors are a general designation used to identify roadways or segments of roadways as a route where commercial vehicles can transport loads that exceed state vehicle weight and size limits. Interested parties note that without an overweight corridor, trucks transporting loads exceeding such limits would need to either reduce or divide cargo, which could increase the time and cost required for shipping goods, or obtain an alternative permit that allows certain oversize or overweight vehicles to travel on roads in Texas. These parties contend that it has not been possible to accurately determine the effects of the state's overweight corridors on economic development and that improving state oversight of overweight corridors and requiring that best practices be applied to future corridors would allow state and local entities to ensure the efficient use of these corridors. C.S.H.B. 2085 seeks to address these concerns and attract shippers to Texas ports and cities.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2085 amends the Transportation Code to require the Texas Department of Transportation (TxDOT), after receiving input from local officials, to set minimum requirements for determining the feasibility, viability, and economic impact of additional overweight corridors that take into consideration traffic volume, safety concerns, ability to recover costs, and the role of overweight corridors within a statewide plan for freight mobility; to use such requirements to periodically develop recommendations for additional overweight corridors that would benefit the state; to include any such recommendations in the international trade corridor plan; and to create a pavement management plan for each operational overweight corridor. The bill defines "overweight corridor" as a designated section of a state highway for which an optional procedure is authorized for the issuance of oversize or overweight vehicle permits by entities other than TxDOT or the Texas Department of Motor Vehicles (TxDMV) for the movement of such vehicles.

C.S.H.B. 2085 requires TxDOT, in consultation with interested parties, to establish performance measures for each operational overweight corridor and to include in the international trade corridor plan the results of an evaluation using the performance measures disaggregated by overweight corridor. The bill requires an entity issuing overweight corridor permits to report information necessary for an evaluation using the performance measures to TxDOT and to

consider the pavement management plan for the overweight corridor in setting a fee for the permit. The bill authorizes TxDMV to issue overweight corridor permits on behalf of an entity authorized to issue the permits and to establish and charge a fee for issuing the permit in an amount sufficient to recover the actual cost of issuance. The bill requires such a collected fee to be sent to the comptroller of public accounts for deposit to the credit of the Texas Department of Motor Vehicles fund and limits appropriation of the fee to TxDMV for the administration of the overweight corridors.

### **EFFECTIVE DATE**

September 1, 2015.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2085 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### **INTRODUCED**

SECTION 1. Subchapter A, Chapter 623, Transportation Code, is amended by adding Section 623.004 to read as follows:

Sec. 623.004. ADMINISTRATION AND OVERSIGHT OF OVERWEIGHT CORRIDORS. (a) In this section, "overweight corridor" means a designated section of a state highway for which an optional procedure is authorized under this chapter for the issuance of permits:

(1) by entities other than the Texas Department of Transportation or the department; and

(2) for the movement of oversize or overweight vehicles.

(b) The Texas Department of Transportation shall:

(1) set minimum requirements for determining the feasibility, viability, and economic impact of additional overweight corridors that take into consideration traffic volume, ability to recover costs, and the role of overweight corridors within a statewide plan for freight mobility;

(2) use the requirements set under Subdivision (1) to periodically develop recommendations for additional overweight corridors that would benefit the state;

(3) include any recommendations developed under Subdivision (2) in the plan described by Section 201.6011; and

(4) create a pavement management plan for each operational overweight corridor.

(c) The Texas Department of

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Subchapter A, Chapter 623, Transportation Code, is amended by adding Section 623.004 to read as follows:

Sec. 623.004. ADMINISTRATION AND OVERSIGHT OF OVERWEIGHT CORRIDORS. (a) In this section, "overweight corridor" means a designated section of a state highway for which an optional procedure is authorized under this chapter for the issuance of permits:

(1) by entities other than the Texas Department of Transportation or the department; and

(2) for the movement of oversize or overweight vehicles.

(b) The Texas Department of Transportation shall, after receiving input from local officials:

(1) set minimum requirements for determining the feasibility, viability, and economic impact of additional overweight corridors that take into consideration traffic volume, safety concerns, ability to recover costs, and the role of overweight corridors within a statewide plan for freight mobility;

(2) use the requirements set under Subdivision (1) to periodically develop recommendations for additional overweight corridors that would benefit the state;

(3) include any recommendations developed under Subdivision (2) in the plan described by Section 201.6011; and

(4) create a pavement management plan for each operational overweight corridor.

(c) The Texas Department of

Transportation, in consultation with interested parties, shall:

(1) establish performance measures for each operational overweight corridor; and

(2) include in the plan described by Section 201.6011 the results of an evaluation using the performance measures disaggregated by the overweight corridor.

(d) An entity issuing overweight corridor permits under this chapter shall:

(1) report information necessary for an evaluation using performance measures established under Subsection (c) to the Texas Department of Transportation; and

(2) in setting a fee for the permit, consider the pavement management plan created under Subsection (b)(4) for the overweight corridor.

(e) The department may:

(1) issue overweight corridor permits on behalf of an entity authorized to issue the permits under this chapter; and

(2) establish and charge a fee for issuing a permit under Subdivision (1) in an amount sufficient to recover the actual cost of issuance.

(f) A fee collected under Subsection (e)(2) shall be sent to the comptroller for deposit to the credit of the Texas Department of Motor Vehicles fund and may be appropriated only to the department for the administration of this section.

SECTION 2. This Act takes effect September 1, 2015.

Transportation, in consultation with interested parties, shall:

(1) establish performance measures for each operational overweight corridor; and

(2) include in the plan described by Section 201.6011 the results of an evaluation using the performance measures disaggregated by overweight corridor.

(d) An entity issuing overweight corridor permits under this chapter shall:

(1) report information necessary for an evaluation using performance measures established under Subsection (c) to the Texas Department of Transportation; and

(2) in setting a fee for the permit, consider the pavement management plan created under Subsection (b)(4) for the overweight corridor.

(e) The department may:

(1) issue overweight corridor permits on behalf of an entity authorized to issue the permits under this chapter; and

(2) establish and charge a fee for issuing a permit under Subdivision (1) in an amount sufficient to recover the actual cost of issuance.

(f) A fee collected under Subsection (e)(2) shall be sent to the comptroller for deposit to the credit of the Texas Department of Motor Vehicles fund and may be appropriated only to the department for the administration of this section.

SECTION 2. Same as introduced version.