

SUBJECT: Vehicles used to transport recyclable materials

COMMITTEE: Transportation — committee substitute recommended

VOTE: 8 ayes — Alexander, Siebert, Finnell, Hartnett, Hawley, Hill, Pickett, Uher
0 nays
1 absent — Edwards

WITNESSES: For — Michael Sullivan, Champion Recycling Corporation
Against — None
On — Ken Zarker, Texas Natural Resource Conservation Commission

BACKGROUND
:
Vehicles used exclusively for transporting recyclable materials and equipped with container roll-off units may be operated on Texas roads and highways if they meet certain weight restrictions. VACS art. 6701d-19c, enacted by the 74th Legislature in 1995, restricts the tandem-axle gross load to 44,000 pounds, the single axle gross load to 21,000 pounds, and the vehicle gross load to 64,000 pounds.

Except for city-owned vehicles, any vehicle with a tandem-axle gross weight in excess of 34,000 pounds must file a surety bond with the Texas Department of Transportation to pay for any damages done to highways or city streets.

Violations of these provisions constitute misdemeanors and are punishable by a fine of up to \$200 for the first conviction; a fine of up to \$500 or imprisonment for not more than 60 days, or both, for a second conviction within one year of the first conviction; and a fine of up to \$1,000 or imprisonment for not more than six months, or both, for a third or subsequent conviction. The imprisonment provisions do not apply to corporations; in these cases, the fines may be doubled in lieu of imprisonment.

DIGEST: CSHB 1524 would codify VACS art. 6701d-19c within the Transportation Code and extend its provisions to vehicles with front-end loaders used exclusively for recycling. Operating requirements and restrictions currently applicable to vehicles with roll-off units would also apply to vehicles with front-end loaders.

The bill would take effect July 15, 1997, if finally approved by a two-thirds record vote of the membership of both houses, which is required for a bill to take effect sooner than 90 days following a regular session.

SUPPORTERS SAY: CSHB 1524 would rectify an oversight from the last legislative session that inadvertently omitted a category of recycling truck from the list of vehicles that could operate on Texas streets and highways. VACS art. 6701d-19c was enacted to permit vehicles transporting recyclable materials to operate under the same weight limits and bonding requirements as vehicles transporting solid waste. There is no qualitative difference between recycling vehicles with roll-off units and recycling vehicles with front-end loaders: they both do the same kind of work and would be subject to the same restrictions and regulations.

There is, however, a quantitative difference. Recycling trucks with front-end loaders can carry more recyclable materials than those with roll-off units. Allowing these vehicles also to operate on Texas roadways would decrease the number of trucks and trips needed to transport material from collection points to materials recycling facilities. Fewer truck trips would help combat air pollution and could mean less wear and tear on Texas' roads.

OPPONENTS SAY: No apparent opposition.

NOTES: The committee substitute specified that the bill would apply only to vehicles equipped with container roll-off units or front-end loaders.