

SUBJECT: Exempting certain trailers from safety chain requirements

COMMITTEE: Transportation — favorable, without amendment

VOTE: 7 ayes — Alexander, Siebert, Hartnett, Hawley, Hill, Pickett, Uher

0 nays

2 absent— Edwards, Finnell

WITNESSES: For — None

Against — None

On — Burton Christian, Texas Department of Public Safety

BACKGROUND : The 73rd Legislature in 1993 enacted HB 167 by Brimer, requiring that passenger vehicles towing trailers or house trailers on public highways use safety chains. The statute exempted trailers operated in compliance with federal motor carrier safety regulations from the requirement.

During the 74th session in 1995, the Legislature codified the Transportation Code. It also enacted HB 3208 by Brimer, which separately amended the pre-codified law to add light trucks and semitrailers to the requirements regarding safety chains. The Government Code provides that if the same legislature repeals a statute by shifting it to a new code and also amends the prior repealed statute, the amendment is preserved and given effect as part of the new code.

Fifth-wheel or gooseneck trailers have hitches that attach into the bed of a truck rather than to the bumper and are considered a type of semitrailer.

DIGEST: HB 977 would amend the Transportation Code to exempt from the safety chain requirement trailers, semitrailers and house trailers connected to the towing vehicle by the fifth-wheel or gooseneck method. The bill would also conform last session's HB 3208 to the Transportation Code by exempting semitrailers and house trailers operated in compliance with federal motor carrier safety regulations.

The bill would take effect September 1, 1997.

**SUPPORTERS
SAY:**

HB 977 would make a necessary correction to clarify the intent of the safety chain requirement. The safety chain requirement need not apply to trailers or semitrailers connected to the towing vehicle by the fifth-wheel or gooseneck method because they do not pose the risk of breaking away that the law is designed to avoid.

Both law enforcement officials and manufacturers agree that safety chains on trailers with gooseneck or fifth-wheel attachments provide no additional safety value since these trailers attach into the bed of a truck rather than to the truck's bumper. This method of attachment is very secure. In the worst case scenario of a rollover or other major collision, it is highly unlikely that a safety chain would keep the trailer from becoming unhitched.

HB 977 also would help provide conformity with federal regulations, which require trailers to have an emergency break-away system rather than safety chains. There are several types of trailers — including house trailers, travel trailers, agriculture trailers and semis — that are exempted from the safety chain requirement regardless of the type of attachment used.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

HB 1845 by Wolens, referred to the House State Affairs Committees, and SB 898 by Harris, reported favorably by the Senate Administration Committee on March 26, would make various nonsubstantive revisions to reconcile bills enacted last session, including conforming last session's HB 3208 to the Transportation Code.