

- SUBJECT:** Transferable annual permits for overweight and oversize vehicles
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 8 ayes — Alexander, Siebert, Y. Davis, Edwards, Hamric, Hawley, Hill, Uher
0 nays
1 absent — Noriega
- WITNESSES:** For — Les Findeisen, Texas Motor Transportation Association
Against — None
On — Lawrance Smith, Texas Department of Transportation
- BACKGROUND:** Sec. 623.071(c) of the Transportation Code allows the Texas Department of Transportation (TXDOT) to issue annual permits for the movement of various kinds of equipment exceeding weight and size limits on state highways. These permits can be issued for the movement of superheavy or oversize equipment that cannot reasonably be dismantled and does not exceed 12 feet in width, 14 feet in height, 110 feet in length, or 120,000 pounds gross weight.
- TxDOT by rule has set the fee for the annual permits for superheavy and oversize equipment at \$2,000 a year. The maximum amount of the fee is capped by statute at \$3,500. A permit is issued to a specific vehicle and is not transferable. Single trip permits for superheavy and oversize equipment within these weight limitations vary in cost between \$30 and \$80 dollars. Single trip permits, unlike annual permits, also can be issued to vehicles exceeding 120,000 pounds. Fees vary according to weight.
- DIGEST:** HB 1538 would allow TxDOT to issue an annual permit to a motor carrier that would be transferable among two or more vehicles of that company's fleet. The permit would allow the carrier to move superheavy or oversize equipment on a state highway, as long as not more than one vehicle was being operated at the same time, and the permit was carried in the vehicle moving the oversize load.

HB 1538 also would repeal an existing requirement that TxDOT submit a report every two years describing the cumulative effects on the state highway system, including county roads, of annual permits issued under Sec. 623.071 (c) (3) of the Transportation Code, to the lieutenant governor and the speaker.

This bill would take effect on September 1, 1999.

**SUPPORTERS
SAY:**

By making oversize or superheavy equipment permits transferable, HB 1538 would give motor carriers more flexibility and reduce TxDOT's permitting workload at the same time.

Oversize or superheavy equipment permits now are issued for a specific vehicle. When that vehicle breaks down, the company either must quickly obtain another permit or flout the law by allowing a vehicle without a permit to deliver the oversize load. Requiring companies to buy \$2000 annual permits for each vehicle in a fleet is prohibitively expensive.

Under the current system, dispatchers tend to hold the permitted vehicle in reserve in case the need arises for superheavy load delivery. This means the vehicle cannot be used for other important purposes. HB 1538 would allow motor carriers to deploy their fleets and use their equipment more efficiently.

HB 1538 would not cause increased damage to state highways. Heavy, outsize loads are being transported anyway. Only approved roads can be used by the holders of these permits. TxDOT would not authorize permits for routes that are not suitable for overweight loads. The permits would not introduce a new class of overweight vehicles on Texas highways, but merely change the type of permit now being used on the very same approved routes.

The bill would not cause fee revenues to drop, nor would it result in less revenue for infrastructure repairs. Companies that would use transferable permits provided under HB 1538 already have been paying for several single-trip permits. These carriers would be willing to pay more to avoid going through the time-consuming permit process several times a year. In some cases, by the time a company gets through the application process, the customer has taken the business somewhere else. TxDOT always could raise the fee to the cap of \$3,500 to make up any lost revenue.

Carriers that transport numerous overweight loads a day would still need multiple permits because they have more than one truck on the road at the same time. Those needing such a permit only once or twice a year would continue apply for single trip permit.

It is a waste of time and tax dollars to require TxDOT to submit a report describing the cumulative effects of the annual permits issued under sec. 623.071(c)(3) of the Transportation Code. The permits are issued annually to one vehicle in particular, and the department has no way of tracking how often the vehicle is used or what routes are taken.

OPPONENTS
SAY:

Overweight equipment can cause substantial damage to Texas roads, highways and bridges. Motor carriers should have to pay a premium each time a vehicle is allowed to move heavy, outsize loads. Revenue generated by these permits goes to Fund 6, which can be used for road and bridge repairs.

The requirement that a biennial report be made each year on damage caused by outsize loads should not be repealed. In fact, TxDOT should require not only annual permit holders but all overweight and oversize vehicle permit holders to compile information on how often they move superheavy equipment and what routes they take. TxDOT then could make a more effective report to the Legislature about the cumulative effect of overweight vehicles on Texas highways.