

- SUBJECT:** Waiving vehicle weight requirements in relation to a declared disaster
- COMMITTEE:** Agriculture and Livestock — committee substitute recommended
- VOTE:** 9 ayes — Burns, Anderson, Bailes, Cole, Cyrier, Guillen, Herrero, Rosenthal, Toth
- 0 nays
- WITNESSES:** For — (*Registered, but did not testify:* Peyton Schumann, Texas and Southwestern Cattle Raisers Association; Darren Turley, Texas Association of Dairymen; J Pete Laney, Texas Citrus Mutual; Todd Kercheval, Texas Conservation Association for Water and Soil; Shayne Woodard, Texas Cotton Ginners Association and Tyson Foods; Joy Davis, Texas Farm Bureau; Joe Morris, Texas Forestry Association; JC Essler, Texas Poultry Federation)
- Against — None
- On — (*Registered, but did not testify:* Dan Hunter, Texas Department of Agriculture; Jimmy Archer, Texas Department of Motor Vehicles)
- BACKGROUND:** Concerns were raised in the aftermath of Winter Storm Uri that existing restrictions on vehicle weight did not adequately address emergencies or disasters that affect agricultural commodities.
- DIGEST:** CSHB 4548 would authorize the Texas Department of Motor Vehicles (TxDMV) to issue a special permit to an oversize or overweight vehicle or load that could be easily dismantled or divided and would be used only to deliver agricultural commodities. TxDMV would be authorized to issue a permit only:
- during an emergency or major disaster as declared by the president of the United States or following a declaration of a state of disaster by the governor; or
  - preceding an event that could result in a declaration of a state of

disaster by the governor, if issuance of the permit for the event was authorized by the Texas Division of Emergency Management (TDEM).

A vehicle operating under a permit authorized by the bill could operate over roads for which the executive director of the Texas Department of Transportation or a county commissioners court had set a maximum weight.

A person could file an application to TDEM requesting that the division authorize the issuance of a permit preceding an event that could result in a declaration of a state of disaster. If the issuance were authorized, TDEM would have to notify TxDMV of the issuance and include in the notice the counties in which a vehicle issued the permit could be operated. A permit authorized during a major disaster declared under federal law or following a Texas declaration of a state of disaster would expire 120 days after the date of the disaster or emergency declaration. A permit issued preceding a disaster declaration would expire 120 days after the date TxDMV received notice from TDEM authorizing the issuance of the permit.

The TxDMV board could adopt rules to implement the provisions of the bill, including rules that established permitting requirements. TxDMV also could impose conditions on a permit holder to ensure the safe operation of a permitted vehicle and minimize damage to roadways.

The bill would not authorize the operation of a vehicle with a size or weight greater than those permitted under federal law on the national system of interstate and defense highways or the federal aid primary highway system. If the United States authorized the operation on those highways of a vehicle that exceeded the federal limits, the new limit would automatically take effect.

The bill would take effect September 1, 2021.