

BILL ANALYSIS

Senate Research Center

H.B. 1524
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State Affairs
5-5-97
Committee Report (Amended)

DIGEST

Currently, Texas law allows certain vehicles equipped with container roll-off units and transport recyclable materials to operate on a public highway, if the axle load on the vehicle is within a certain weight. Vehicles which transport recyclable materials but utilize front-end loaders instead of roll-off units are not permitted to carry loads of a certain size. This bill authorizes vehicles equipped with a container roll-off unit or a front-end loader, which exclusively transports recyclable materials, to operate on a public highway if the tandem axle weight requirement is within a certain limit.

PURPOSE

As proposed, H.B. 1524 authorizes vehicles equipped with a container roll-off unit or a front-end loader, which exclusively transports recyclable materials, to operate on a public highway if the tandem axle weight requirement is within a certain limit.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 622, Transportation Code, by adding Subchapter J, as follows:

SUBCHAPTER J. CERTAIN VEHICLES TRANSPORTING RECYCLABLE MATERIALS

Sec. 622.131. DEFINITION. Defines "recyclable material."

Sec. 622.132. APPLICABILITY OF SUBCHAPTER. Provides that this subchapter applies only to a vehicle other than a tractor-trailer combination, only if equipped with a container roll-off unit or a front-end loader.

Sec. 622.133. AXLE-LOAD RESTRICTIONS. Authorizes a vehicle used exclusively to transport recyclable materials to be operated on a public highway only if certain axles do not exceed certain amounts.

Sec. 622.134. SURETY BOND. Requires the owner of a vehicle covered by this subchapter with a tandem axle load heavier than 34,000 pounds before operating the vehicle on a public highway to file with the Texas Department of Transportation (department) a surety bond not to exceed \$15,000 for each vehicle operated. Requires the bond to be conditioned that the owner of the vehicle will pay the state, the county and a municipality for any damage caused by the operation of the vehicle to a highway or road. Provides that Subsection (a) does not apply to a vehicle owned by a municipality or a county.

Sec. 622.135. INTERSTATE AND DEFENSE HIGHWAYS. Provides that this subchapter does not authorize the operation on the national system of interstate and defense highways in this state of a vehicle of a size or weight greater than authorized in 23 U.S.C. Section 127, as amended. Requires the new limit to automatically take effect on the national system of interstate and defense highways in this state, if the United States government authorizes the

operation of certain vehicles.

Sec. 622.136. PENALTIES. Provides that a person commits an offense if the person violates this subchapter. Provides that an offense under this section is a misdemeanor, except as provided by Subsection (c), punishable by certain penalties. Provides that a corporation is not subject to confinement for an offense under this section, Authorizes a maximum fine amount of two times the maximum fine provided for in the applicable subdivision of Subsection (b) to be imposed against the corporation.

SECTION 2. (a) Provides that in addition to the substantive changes in law made by this Act, this Act adds Chapter 622J, Transportation Code, to conform to the change in law made by Section 1, Chapter 826, Acts of the 74th Legislature, Regular Session, 1995.

(b) Repealer: Article 6701d-19c, V.T.C.S. (Weight of vehicles transporting recyclable materials).

(c) Provides that this Act prevails over another Act relating to nonsubstantive additions and corrections of enacted codes, to the extent of any conflict.

SECTION 3. Effective date: July 15, 1997.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

Page 2, line 6, insert ", to a county any damage to a county road" between "highway" and "and."

Amendment 2.

Page 2, line 9, insert "or a county" between "municipality" and "."