

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1276

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International Relations, Trade & Technology

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Committee Report (Substituted)

### **DIGEST**

C.S.S.B. 1276 would authorize a port authority to collect a fee for issuing permits for oversize or overweight trucks carrying cargo in certain areas of Texas. This bill would require such a permit to specify the time in which movement authorized by the permit is allowed. This bill would require permit fee revenues to be used for the maintenance of roads and bridges. In addition, S.B. 1487 would prohibit movement authorized by permit from exceeding 55 miles per hour or the posted limit, whichever is less.

### **PURPOSE**

As proposed, C.S.S.B. 1276 allows a port authority to issue permits for the movement of oversize or overweight vehicles carrying cargo through counties that have a boundary that is contiguous to the United States of Mexico and the Gulf of Mexico, and to collect a fee for the issuance of such permits. This bill requires fees collected from the issuance of permits to be used for the maintenance of roads and bridges.

### **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 623, Transportation Code, by adding Subchapter K, as follows:

#### **SUBCHAPTER K. PORT AUTHORITY PERMITS**

Sec. 623.210. **OPTIONAL PROCEDURE.** Provides that this subchapter provides an optional procedure for issuance of a permit for the movement of oversize or overweight vehicles carrying cargo on state highways located in counties contiguous to the Gulf of Mexico or a bay or inlet opening into the gulf and bordering the United Mexican States.

Sec. **DEFINITION.** Defines "port authority."

Sec. 623.212. **PERMITS BY PORT AUTHORITY.** Authorizes the Texas Department of Transportation (department) to authorize a port authority to issue permits for the movement of oversize or overweight vehicles carrying cargo on state highways located in counties contiguous to the Gulf of Mexico or a bay or inlet opening into the gulf and bordering the United Mexican States.

Sec. 623.213. **MAINTENANCE CONTRACTS.** Requires a port authority issuing permits under this subchapter to make paymentS to the Texas Department of Transportation to provide funds for the maintenance of state highways subject to this subchapter.

Sec. 632.214. **PERMIT FEES.** Authorizes a port authority to collect a fee for permits issued under this subchapter. Prohibits such fees from exceeding \$80. Requires fees collected under Subsection (a) to be used solely to provide funds for the payments provided for under Section 623.213 less administrative costs which shall not exceed 10 percent of the fees collected.

Sec. 632.215. PERMIT REQUIREMENTS. Requires a permit issued under this subchapter to include certain information. Requires a port authority to report to the department all permits issued under this subchapter.

Sec. 623.216. TIME OF MOVEMENT. Requires a permit issued under this subchapter to specify the time in which movement authorized by the permit is allowed.

Sec. 623.217. SPEED LIMIT. Prohibits movement authorized by a permit issued under this subchapter from exceeding the posted speed limit or 55 miles per hour, whichever is less. Requires violation of this provision to constitute a moving violation.

Sec. 623.218. ENFORCEMENT. Requires the Department of Public Safety to have authority to enforce the provision of this subchapter.

Sec. 623.219. EXPIRATION. Provides that this Act will expire upon completion of the Port International Bridge Project.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.

## **SUMMARY OF COMMITTEE CHANGES**

### SECTION 1.

Amends Section 623.210, Transportation Code, to delete a reference to certain roads and substitute "state highways located in counties contiguous to the Gulf of Mexico or a bay or inlet opening into the gulf and bordering the United Mexican States.

Amends Section 623.212, Transportation Code, to make conforming changes.

Amends Section 623.213, Transportation Code, to require payments to be made to the Texas Department of Transportation for maintenance of state highways. Deletes proposed text regarding payments to a state agency, political subdivision, or road district.

Amends Section 623.214, Transportation Code, to prohibit fees from exceeding \$80. Authorizes administrative fees not greater than 10 percent to be deducted from fees collected.

Amends Section 623.215, Transportation Code, to change the requirements for a permit issued under this subchapter.

Amends Section 623.218, Transportation Code, to require a violation of this provision to constitute a moving violation.

Adds Section 623.218, Transportation Code, regarding the authority of the Department of Public Safety to enforce the provisions to this subchapter.

Adds Section 623.219, Transportation Code, regarding the expiration of this Act.