

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 749
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Transportation & Homeland Security
4/29/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The original cotton module legislation limited the use of module trucks to the transporting of cotton, cotton processing equipment, seed cotton, and cotton burrs only. C.S.H.B. 749 authorizes transportation of certain agricultural products and equipment.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 504.505(a), Transportation Code, to require the Texas Department of Transportation (TxDOT) to issue specialty license plates for a single motor vehicle that is used only to transport chile pepper modules, seed cotton, cotton, cotton burrs, or equipment used in transporting or processing chile peppers or cotton. Deletes existing text referring to seed cotton modules.

SECTION 2. Amends Section 522.003, Transportation Code, by adding Subdivision (24-a), to define "seed cotton module."

SECTION 3. Amends Subchapter I, Chapter 622, Transportation Code, as follows:

SUBCHAPTER I. New Heading: VEHICLES TRANSPORTING CERTAIN AGRICULTURAL PRODUCTS OR EQUIPMENT

Sec. 622.101. New heading: VEHICLE TRANSPORTING CERTAIN AGRICULTURAL PRODUCTS OR PROCESSING EQUIPMENT. (a) Creates this subsection from existing text. Prohibits a single motor vehicle used exclusively to transport chile pepper modules, seed cotton, cotton, cotton burrs, or equipment used to transport or process chile peppers or cotton, including a motor vehicle or burr spreader, from being operated on a highway if the vehicle meets certain criteria. Deletes existing text relating to the vehicle being registered under Section 502.277.

(b) Requires a motor vehicle that transports agricultural products to be registered under Section 504.505.

SECTION 4. Amends Section 622.953, Transportation Code, as follows:

Sec. 622.953. New heading: VEHICLE TRANSPORTING SEED COTTON OR CHILE PEPPER MODULES. (a) Makes conforming changes.

(b) Prohibits the overall gross weight of a single motor vehicle used to transport seed cotton or equipment used to transport or process seed cotton from being heavier than 59,400 pounds.

(c) Prohibits the overall gross weight of a single motor vehicle used to transport chile pepper modules or equipment used to transport or process chile pepper modules from being heavier than 54,000 pounds.

(d) Redesignated from existing Subsection (c). Provides that the owner of a single motor vehicle to which this section applies that has a gross weight authorized by this section that is applicable to the vehicle, rather than of more than 59,400 pounds, is liable to the state, county, or municipality for any damage to a highway, street, road, or bridge caused by the weight of the load.

(e) Redesignated from existing Subsection (d).

SECTION 5. Amends Section 644.052(c), Transportation Code, to make a conforming change.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2005.