

BILL ANALYSIS

Senate Research Center

S.B. 1093
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Transportation & Homeland Security
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, statute defines a commercial vehicle as any vehicle that has a maximum allowable weight of 26,001 pounds or more, which includes a towed unit with a maximum allowable weight of more than 10,000 pounds. People are circumventing the law by using non-commercial vehicles which exceed the weight limits, such as a car with a trailer attached, in order to transport commercial goods. This practice creates a safety hazard due to people driving vehicles that weigh as much as a commercial motor vehicle without the appropriate license and training.

S.B. 1093 amends current law relating to the operation of commercial motor vehicles and vehicles used exclusively to transport waste.

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 Subdivision 5, Section 522.003, Transportation Code, to redefine "commercial motor vehicle."

SECTION 2. Reenacts Section 522.072(a), Transportation Code, as amended by Chapters 13 (S.B. 332) and 424 (S.B. 1372), Acts of the 80th Legislature, Regular Session, 2007, to prohibit an employer from knowingly permitting a person to drive a commercial vehicle during a period in which the person has been denied the privilege of driving a commercial motor vehicle; the person is disqualified from driving a commercial motor vehicle; the person, the person's employer, or the vehicle being operated is subject to an out-of-service order in a state; or the person has more than one commercial driver's license, except during the 10-day period beginning on the date the person is issued a driver's license.

SECTION 3. Amends Section 545.301(b), Transportation Code, to provide that this section does not apply to an operator of a vehicle that is disabled while on the paved or main traveled part of a highway if it is impossible to avoid stopping and temporarily leaving the vehicle on the highway or a vehicle used exclusively to transport solid, semisolid, or liquid waste operated at the time in connection with the removal or transportation of solid, semisolid, or liquid waste from a location adjacent to the highway.

SECTION 4. Effective date: September 1, 2009.