

BILL ANALYSIS

Senate Research Center
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S.B. 1571
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Port of Corpus Christi Authority of Nueces County (PCCA) has no ability to issue permits for the movement of oversize or overweight cargo on any roads it owns and maintains in Nueces County and San Patricio County. PCCA also has no ability to enter into an agreement with the Texas Department of Transportation (TxDOT) to issue similar permits on a proposed special freight corridor to be built in San Patricio County.

Without the authority to issue permits, PCCA has no ability to regulate when these trucks may move through the port, determine what kind or size of cargo is being carried, or specify which route they must take. This creates problems for the efficient operation of the port and its customers.

Further, this limits the port's ability to efficiently handle the cargo of prospective customers that may wish to move this type of cargo through the port.

As proposed, S.B. 1571 grants authority to PCCA to issue permits for oversize or overweight vehicles traveling on roads it owns and maintains in Nueces County and San Patricio County and to enter into agreements with TxDOT to issue similar permits on special freight corridors located in San Patricio County.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 1 (Section 623.289, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 623, Transportation Code, by adding Subchapter O, as follows:

SUBCHAPTER O. PORT OF CORPUS CHRISTI AUTHORITY PERMITS

Sec. 623.280. **OPTIONAL PROCEDURE.** Provides that this subchapter provides an optional procedure for the issuance of a permit by the Port of Corpus Christi Authority (port authority) for the movement of oversize or overweight vehicles carrying cargo on state highways located in San Patricio County.

Sec. 623.281. **DEFINITION.** Defines "port authority."

Sec. 623.282. **ISSUANCE OF PERMITS.** Authorizes the Texas Transportation Commission (TTC) to authorize the port authority to issue permits for the movement of over of overweight vehicles carrying cargo on state highways located in San Patricio County or Nueces County, with the consent of the appropriate county's commissioners court.

Sec. 623.283. **MAINTENANCE CONTRACTS.** Requires the port authority to make payments to the Texas Department of Transportation (TxDOT) to provide funds for the maintenance of state highways subject to this subchapter.

Sec. 623.284. **PERMIT FEES.** (a) Authorizes the port authority to collect a fee for permits issued under this subchapter. Prohibits the fees from exceeding \$80 per trip.

(b) Requires that the fees collected under Subsection (a) be used solely to provide funds for the payments provided for under Section 623.283 for the port authority's administrative costs, which may not exceed 15 percent of the fees collected. Provides that the fees to be deposited in the state highway fund under this section are exempt from the application of Section 403.095 (Use of Dedicated Revenue), Government Code.

Sec. 623.285. PERMIT REQUIREMENTS. (a) Requires that a permit issued under this subchapter include the name of the applicant; the date of issuance; the signature of the director of the port authority; a statement of the kind of cargo being transported, the maximum weight and dimensions of the equipment and the kind and weight of each commodity to be transported; a statement of any condition on which the permit is issued; a statement that the cargo is only authorized to be transported to and from the port authority's terminal on the La Quinta Channel in San Patricio County using a state highway in San Patricio County or Nueces County that has been approved for use under this subchapter by the appropriate county's commissioners court under Section 623.282; and the location where the cargo was loaded.

(b) Requires the port authority to report to TxDOT all permits issued under this subchapter.

Sec. 623.286. TIME OF MOVEMENT. Requires a permit issued under this subchapter to specify the time in which movement authorized by the permit is allowed.

Sec. 623.287. 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 that violation of this provision constitute a moving violation.

Sec. 623.288. ENFORCEMENT. Requires the Department of Public Safety to have authority to enforce the provisions of this subchapter.

Sec. 623.289. RULES. Authorizes TTC to adopt rules necessary to implement this subchapter.

SECTION 2. Effective date: September 1, 2009.