

AN ACT

relating to the issuance of certain permits for overweight vehicles; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 623, Transportation Code, is amended by adding Subchapter L to read as follows:

SUBCHAPTER L. VICTORIA COUNTY NAVIGATION DISTRICT PERMITS

Sec. 623.230. OPTIONAL PROCEDURE. This subchapter provides an optional procedure for the issuance of a permit by the Victoria County Navigation District for the movement of oversize or overweight vehicles carrying cargo on state highways located in Victoria County.

Sec. 623.231. DEFINITION. In this subchapter, "district" means the Victoria County Navigation District.

Sec. 623.232. ISSUANCE OF PERMITS. The Texas Transportation Commission may authorize the district to issue permits for the movement of oversize or overweight vehicles carrying cargo on state highways located in Victoria County.

Sec. 623.233. MAINTENANCE CONTRACTS. The district shall make payments to the department to provide funds for the maintenance of state highways subject to this subchapter.

Sec. 623.234. PERMIT FEES. (a) The district may collect a fee for permits issued under this subchapter. The fees shall not exceed \$80 per trip.

1 (b) Fees collected under Subsection (a) shall be used solely
2 to provide funds for the payments provided for under Section
3 623.233 less administrative costs, which shall not exceed 15
4 percent of the fees collected. The fees shall be deposited in the
5 state highway fund. Fees deposited in the state highway fund under
6 this section are exempt from the application of Section 403.095,
7 Government Code.

8 Sec. 623.235. PERMIT REQUIREMENTS. (a) A permit issued
9 under this subchapter must include:

10 (1) the name of the applicant;

11 (2) the date of issuance;

12 (3) the signature of the director of the district;

13 (4) a statement of the kind of cargo being transported
14 over Farm-to-Market Road 1432 to and from the Victoria Barge Canal
15 and up to but not past the intersection with State Highway 185, the
16 maximum weight and dimensions of the equipment, and the kind and
17 weight of each commodity to be transported, provided that the gross
18 weight of such equipment and commodities shall not exceed 125,000
19 pounds;

20 (5) a statement of any condition on which the permit is
21 issued;

22 (6) a statement that the cargo shall only be
23 transported to and from the Victoria Barge Canal using
24 Farm-to-Market Road 1432 and may not be transported over State
25 Highway 185;

26 (7) the name of the driver of the vehicle in which the
27 cargo is to be transported; and

1 (8) the location where the cargo was loaded.

2 (b) The district shall report to the department all permits
3 issued under this subchapter.

4 Sec. 623.236. TIME OF MOVEMENT. A permit issued under this
5 subchapter shall specify the time in which movement authorized by
6 the permit is allowed.

7 Sec. 623.237. SPEED LIMIT. Movement authorized by a permit
8 issued under this subchapter shall not exceed the posted speed
9 limit or 55 miles per hour, whichever is less. Violation of this
10 provision shall constitute a moving violation.

11 Sec. 623.238. ENFORCEMENT. The Department of Public Safety
12 shall have authority to enforce the provisions of this subchapter.

13 Sec. 623.239. RULES. The Texas Transportation Commission
14 may adopt rules necessary to implement this subchapter.

15 SECTION 2. This Act takes effect September 1, 2003.

David Swihart

President of the Senate

Jim Cusick

Speaker of the House

I hereby certify that S.B. No. 20 passed the Senate on May 15, 2003, by the following vote: Yeas 31, Nays 0.

Datsy Spaul
Secretary of the Senate

I hereby certify that S.B. No. 20 passed the House on May 28, 2003, by a non-record vote.

Robert Haney
Chief Clerk of the House

Approved:

20 JUN '03

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

9:30 PM O'CLOCK

JUN 20 2003
Ann Shea
Secretary of State