

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 30th, 2015

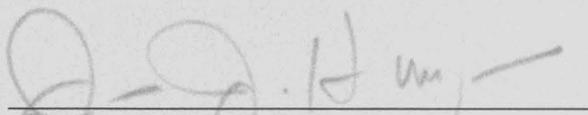
Date

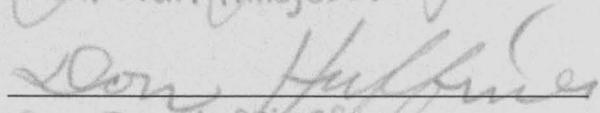
Honorable Dan Patrick
President of the Senate

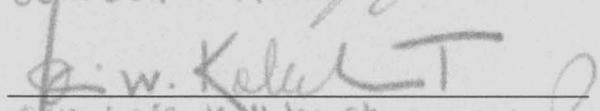
Honorable Joe Straus
Speaker of the House of Representatives

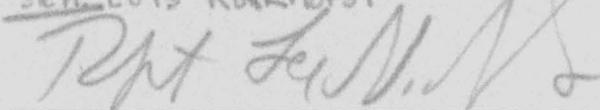
Sirs:

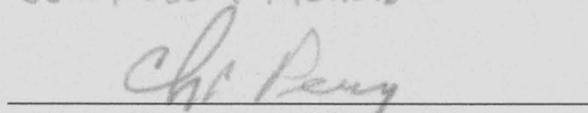
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 1338 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

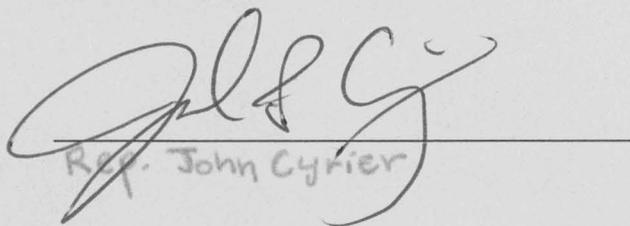

Sen. Juan Hinojosa

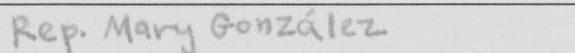

Sen. Don Huffines

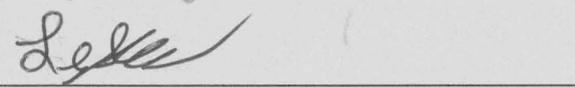

Sen. Lois Kolkhorst

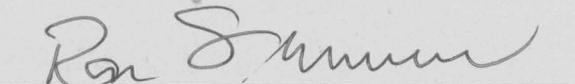

Sen. Robert Nichols

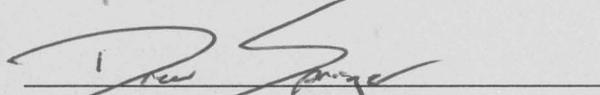

On the part of the Senate
Sen. Charles Perry


Rep. John Cyrier


Rep. Mary Gonzalez


Rep. Leighton Schubert


Rep. Ron Simmons


On the part of the House
Rep. Drew Springer

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 1338

A BILL TO BE ENTITLED

1 AN ACT

2 relating to an exemption from length limitations for certain
3 vehicles or combinations of vehicles used to transport harvest
4 machines.

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

6 SECTION 1. Section 622.902, Transportation Code, is amended
7 to read as follows:

8 Sec. 622.902. LENGTH EXCEPTIONS. The length limitations
9 provided by Sections 621.203 to 621.205 do not apply to:

10 (1) machinery used exclusively for drilling water
11 wells, including machinery that is itself a unit or that is a unit
12 mounted on a conventional vehicle or chassis;

13 (2) a vehicle owned or operated by a public, private,
14 or volunteer fire department;

15 (3) a vehicle or combination of vehicles operated
16 exclusively in the territory of a municipality or to a combination
17 of vehicles operated by a municipality in a suburb adjoining the
18 municipality in which the municipality has been using the equipment
19 or similar equipment in connection with an established service to
20 the suburb;

21 (4) a truck-tractor, truck-tractor combination, or
22 truck-trailer combination exclusively transporting machinery,
23 materials, and equipment used in the construction, operation, and
24 maintenance of facilities, including pipelines, that are used for

1 the discovery, production, and processing of natural gas or
2 petroleum;

3 (5) a drive-away saddlemount vehicle transporter
4 combination or a drive-away saddlemount with fullmount vehicle
5 transporter combination, as defined by 23 C.F.R. Part 658 or its
6 successor, if:

7 (A) the overall length of the combination is not
8 longer than 97 feet; and

9 (B) the combination does not have more than three
10 saddlemounted vehicles if the combination does not include more
11 than one fullmount vehicle;

12 (6) the combination of a tow truck and another vehicle
13 or vehicle combination if:

14 (A) the other vehicle or vehicle combination
15 cannot be normally or safely driven or was abandoned on a highway;
16 and

17 (B) the tow truck is towing the other vehicle or
18 vehicle combination directly to the nearest authorized place of
19 repair, terminal, or destination of unloading; [~~or~~]

20 (7) a vehicle or combination of vehicles used to
21 transport a harvest machine [~~combine~~] that is used in farm custom
22 harvesting operations on a farm if the overall length of the vehicle
23 or combination is not longer than:

24 (A) 75 feet if the vehicle is traveling on a
25 highway that is part of the national system of interstate and
26 defense highways or the federal aid primary highway system; or

27 (B) 81-1/2 feet if the vehicle is not traveling

1 on a highway that is part of the national system of interstate and
2 defense highways or the federal aid primary highway system; or

3 (8) a truck-tractor operated in combination with a
4 semitrailer and trailer or semitrailer and semitrailer if:

5 (A) the combination is used to transport a
6 harvest machine that is used in farm custom harvesting operations
7 on a farm;

8 (B) the overall length of the combination,
9 excluding the length of the truck-tractor, is not longer than
10 81-1/2 feet; and

11 (C) the combination is traveling on a highway
12 that:

13 (i) is not part of the national system of
14 interstate and defense highways or the federal aid primary highway
15 system; and

16 (ii) is located in a county with a
17 population of less than 300,000.

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2015.

Senate Bill 1338
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

SECTION 1. Section 622.902, Transportation Code, is amended to read as follows:

Sec. 622.902. LENGTH EXCEPTIONS. The length limitations provided by Sections 621.203 to 621.205 do not apply to:

- (1) machinery used exclusively for drilling water wells, including machinery that is itself a unit or that is a unit mounted on a conventional vehicle or chassis;
- (2) a vehicle owned or operated by a public, private, or volunteer fire department;
- (3) a vehicle or combination of vehicles operated exclusively in the territory of a municipality or to a combination of vehicles operated by a municipality in a suburb adjoining the municipality in which the municipality has been using the equipment or similar equipment in connection with an established service to the suburb;
- (4) a truck-tractor, truck-tractor combination, or truck-trailer combination exclusively transporting machinery, materials, and equipment used in the construction, operation, and maintenance of facilities, including pipelines, that are used for the discovery, production, and processing of natural gas or petroleum;
- (5) a drive-away saddlemount vehicle transporter combination or a drive-away saddlemount with fullmount vehicle transporter combination, as defined by 23 C.F.R. Part 658 or its successor, if:
 - (A) the overall length of the combination is not longer than 97 feet; and
 - (B) the combination does not have more than three saddlemounted vehicles if the combination does not include more than one fullmount vehicle;
- (6) the combination of a tow truck and another vehicle or

HOUSE VERSION (CS)

SECTION 1. Section 622.902, Transportation Code, is amended to read as follows:

Sec. 622.902. LENGTH EXCEPTIONS. The length limitations provided by Sections 621.203 to 621.205 do not apply to:

- (1) machinery used exclusively for drilling water wells, including machinery that is itself a unit or that is a unit mounted on a conventional vehicle or chassis;
- (2) a vehicle owned or operated by a public, private, or volunteer fire department;
- (3) a vehicle or combination of vehicles operated exclusively in the territory of a municipality or to a combination of vehicles operated by a municipality in a suburb adjoining the municipality in which the municipality has been using the equipment or similar equipment in connection with an established service to the suburb;
- (4) a truck-tractor, truck-tractor combination, or truck-trailer combination exclusively transporting machinery, materials, and equipment used in the construction, operation, and maintenance of facilities, including pipelines, that are used for the discovery, production, and processing of natural gas or petroleum;
- (5) a drive-away saddlemount vehicle transporter combination or a drive-away saddlemount with fullmount vehicle transporter combination, as defined by 23 C.F.R. Part 658 or its successor, if:
 - (A) the overall length of the combination is not longer than 97 feet; and
 - (B) the combination does not have more than three saddlemounted vehicles if the combination does not include more than one fullmount vehicle;
- (6) the combination of a tow truck and another vehicle or

CONFERENCE

SECTION 1. Same as Senate version except Subdivision (8), Paragraph (C), Subparagraph (ii) refers to a county with a population of less than *300,000*.

Senate Bill 1338
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

vehicle combination if:

(A) the other vehicle or vehicle combination cannot be normally or safely driven or was abandoned on a highway; and

(B) the tow truck is towing the other vehicle or vehicle combination directly to the nearest authorized place of repair, terminal, or destination of unloading; [øø]

(7) a vehicle or combination of vehicles used to transport a harvest machine [~~combine~~] that is used in farm custom harvesting operations on a farm if the overall length of the vehicle or combination is not longer than:

(A) 75 feet if the vehicle is traveling on a highway that is part of the national system of interstate and defense highways or the federal aid primary highway system; or

(B) 81-1/2 feet if the vehicle is not traveling on a highway that is part of the national system of interstate and defense highways or the federal aid primary highway system; or

(8) a truck-tractor operated in combination with a semitrailer and trailer or semitrailer and semitrailer if:

(A) the combination is used to transport a harvest machine that is used in farm custom harvesting operations on a farm;

(B) the overall length of the combination, excluding the length of the truck-tractor, is not longer than 81-1/2 feet; and

(C) the combination is traveling on a highway that:

(i) is not part of the national system of interstate and defense highways or the federal aid primary highway system; and

(ii) is located in a county with a population of less than 50,000.

SECTION 2. Effective date.

HOUSE VERSION (CS)

vehicle combination if:

(A) the other vehicle or vehicle combination cannot be normally or safely driven or was abandoned on a highway; and

(B) the tow truck is towing the other vehicle or vehicle combination directly to the nearest authorized place of repair, terminal, or destination of unloading; [øø]

(7) a vehicle or combination of vehicles used to transport a harvest machine [~~combine~~] that is used in farm custom harvesting operations on a farm if the overall length of the vehicle or combination is not longer than/:

~~[(A)] 75 feet [if the vehicle is traveling on a highway that is part of the national system of interstate and defense highways or the federal aid primary highway system]; or~~

(8) a truck-tractor operated in combination with a semitrailer and trailer or semitrailer and semitrailer if:

(A) the combination is used to transport a harvest machine that is used in farm custom harvesting operations on a farm;

(B) the overall length of the combination, excluding the length of the truck-tractor, is not longer than 81-1/2 feet; and

(C) the combination [if the vehicle] is not traveling on a highway that is part of the national system of interstate and defense highways or the federal aid primary highway system.

SECTION 2. Same as Senate version.

CONFERENCE

SECTION 2. Same as Senate version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 30, 2015

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1338 by Perry (Relating to an exemption from length limitations for certain vehicles or combinations of vehicles used to transport harvest machines.), **Conference Committee Report**

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|---|
| No fiscal implication to the State is anticipated. |
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Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, AG, NV, TG

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order under Rule 13.

I certify that a copy of the conference committee report on SB1328 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.



(name)

5-30-15

(date)