

BILL ANALYSIS

H.B. 1789
By: Pickett
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that recently enacted federal legislation regarding motor vehicle size and weight limitations warrants appropriate legislation at the state level to avoid the loss of federal highway funding. H.B. 1789 seeks to address this issue by revising certain requirements relating to oversize and overweight vehicles in Texas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1789 amends the Transportation Code to authorize an automobile transporter that complies with the weight and size limitations for a truck-tractor and semitrailer combination to transport cargo or general freight on a backhaul. The bill defines "backhaul" as the return trip of a vehicle transporting cargo or general freight and specifies that an automobile transporter is presumed to be on a backhaul if the automobile transporter is transporting cargo or general freight back over all or part of the same route. The bill limits the load that an automobile transporter that is stinger-steered may carry to not more than four feet extended beyond its front and not more than six feet extended beyond its rear. The bill defines "stinger-steered" as a truck-tractor and semitrailer combination in which the fifth wheel is located on a drop frame located behind and below the rearmost axle of the truck-tractor.

H.B. 1789 includes among the vehicles exempt from certain motor vehicle length limitations a towaway trailer transporter combination, as defined by specified federal law, if the overall length of the combination is not longer than 82 feet. The bill expands the exemption from vehicle weight limits for a fire department vehicle to include any emergency vehicle and changes the maximum weight of such an exempted emergency vehicle from the manufacture's gross vehicle weight capacity or axle design rating to the greater of either that capacity or rating or, including all enforcement tolerances, a gross weight of 86,000 pounds, a single steering axle weight of 24,000 pounds, a single drive axle weight of 33,500 pounds, a tandem axle weight of 62,000 pounds, or a tandem rear drive steer axle weight of 52,000 pounds. The bill raises the cap by which the maximum gross vehicle weight limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction system is required to be increased to compensate for the additional weight of the system from 400 pounds to 500 pounds.

H.B. 1789 revises the circumstances under which the Texas Department of Motor Vehicles

(TxDMV) may issue a permit to move certain heavy equipment by authorizing TxDMV to issue a permit to allow the operation on a state highway of equipment that exceeds the weight and size limits provided by law for the movement of equipment or a commodity that cannot reasonably be dismantled. The bill adds as a condition of eligibility for an annual permit to operate over a state highway or road a vehicle or combination of vehicles that exceeds the length and height limits provided by law the condition that the vehicle or combination of vehicles be transporting a load that cannot reasonably be dismantled.

EFFECTIVE DATE

September 1, 2017.