

SUBJECT: Load lengths of semitrailers and trailers

COMMITTEE: Transportation — committee substitute recommended

VOTE: 6 ayes — Alexander, Siebert, Finnell, Hawley, Hill, Pickett
0 nays
1 present not voting)) Hartnett
2 absent — Edwards, Uher

WITNESSES: For — Fred Christiansen, Southwest Lift, Incorporated; Wayne Sikorski
Against — None

BACKGROUND : The Transportation Code prohibits a vehicle from carrying a load that extends more than four feet beyond its rear.

DIGEST: CSHB 1342 would amend the Transportation Code to allow a trailer to carry a load that extended more than four feet beyond the rear of the trailer under certain conditions: the load was a “motor vehicle” designed to be carried at the rear of the trailer, it was used to load or unload commodities carried by the trailer, it did not extend more than seven feet beyond the trailer's rear, and it complied with all applicable federal motor carrier safety regulations.

CSHB 1342 would take effect September 1, 1997.

SUPPORTERS SAY: CSHB 1342 would bring Texas into line with the rest of the nation by legalizing the use of a device that is already common to most commercial truck trailers. The “piggyback material handler,” similar to a forklift, is attached to the rear of a semitrailer or truck trailer for use in loading and unloading materials. This mini-forklift has become a valuable tool for moving heavy or bulky cargoes carried on commercial trucks, reducing the amount of time necessary to pick up or deliver goods on-site. The device has a strong safety record and is specifically authorized for use under the Federal Motor Carrier Act. It is equipped with its own set of taillights, ensuring that it can be seen day or night by trailing motorists.

When mounted or installed on most trucks, the device extends some six and one-half feet beyond the rear in violation of current Texas law. Other states already have revised their laws to track federal regulations and allow for this exception. CSHB 1342 would bring Texas in line with this nationwide movement and thereby remove a potential barrier to the smooth flow of interstate trucking and commerce, as well as provide for more consistent and fair enforcement of traffic laws. The Texas Department of Public Safety (DPS) has issued a written opinion that a forklift device attached the rear of a trailer is a safe modification of the trailer and, in fact, the safest method of transporting that device. However, DPS also has indicated that as long as Texas law contains the present prohibition on extended loads, officers will ticket violators. Some tractor-trailers equipped with the forklift device have been stopped in certain Texas cities and their drivers ticketed; others have not. Inconsistent and arbitrary enforcement of current law does not make the motoring public any safer, yet it does place Texas out of step with the rest of the nation and at a costly commercial disadvantage with regard to other states.

CSHB 1342 is specifically and tightly drawn to allow this sole exception to the load length restrictions upon trucks and trailers. It would not repeal any portion of the current statute restricting load lengths for other vehicles. Semi-trailers or other commercial vehicles could not use these provisions to skirt the law by carrying cargo that extended farther than four feet beyond the rear of the vehicle.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The committee substitute created a new section in the Transportation Code for the exception to load length regulations.

The companion bill, SB 977 by Madla, passed the Senate on April 7.