

## **BILL ANALYSIS**

Senate Research Center  
77R3480 JD-F

H.B. 1679  
By: Bosse (Cain)  
State Affairs  
4/18/2001  
Engrossed

### **DIGEST AND PURPOSE**

Currently, maximum vehicle weight limits exist for public highways outside a city and for state-maintained highways within a city. In order to exceed these limits, a truck driver must obtain a permit. Local law enforcement officers and the Department of Public Safety (DPS) enforce these weight restrictions which can lead to fines as high as \$1,000 per incident. In the past few years, truck operators have experienced inconsistencies in dealing with multiple law enforcement entities. For example, a municipal officer may direct a tow truck operator to remove a heavy vehicle from the scene of an accident but while en route to the storage facility, the operator may be ticketed by a DPS officer for exceeding maximum weight restrictions without a permit. H.B. 1679 exempts tow truck operators from being required to maintain an overweight permit when the weight of a tow truck along with the weight of the vehicle being towed exceeds statutory weight limitations, if the truck is removing a disabled, abandoned, or accident-damaged vehicle and towing the vehicle directly to the nearest authorized repair, terminal, or storage facility.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 622Z, Transportation Code, by adding Section 622.954, as follows:

Sec. 622.954. TOW TRUCKS. Provides that a permit is not required to exceed the weight limitations of Section 621.101 by a combination of a tow truck and another vehicle if the nature of the service provided by the tow truck is needed to remove disabled, abandoned, or accident-damaged vehicles, or the tow truck is towing the other vehicle or vehicle combination directly to the nearest authorized place of repair, terminal, or vehicle storage facility.

SECTION 2. Effective date: upon passage or September 1, 2001.