

BILL ANALYSIS

Senate Research Center
77R5741 JD-D

S.B. 816
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Intergovernmental Relations
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DIGEST AND PURPOSE

Currently, county roads, drainage structures, fences, and private property are being damaged by oversize manufactured houses transported on county roads. Roads are being unlawfully closed because the width of these homes restrict traffic flow. Such oversized loads can close low water crossings for hours and keep emergency service vehicles from reaching their destinations. As proposed, S.B. 816 authorizes the commissioners court of a county to require a permit for the transportation of such oversized manufactured houses over county roads, bridges, and culverts.

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 Section 623.092, Transportation Code, to prohibit a manufactured house in excess of legal size limits for a motor vehicle, in a county that requires a permit for the movement of a manufactured house under Section 623.105, from being moved over a county road, bridge, or culvert except in accordance with a permit issued by that county. Deletes reference to a county being prohibited from requiring a permit, bond, fee, or license for the movement of a manufactured house.

SECTION 2. Amends the heading to Section 623.093, Transportation Code, to read as follows:

Sec. 623.093. CONTENTS OF APPLICATION FOR PERMIT FROM DEPARTMENT AND PERMIT.

SECTION 3. Amends Section 623.093(a), Transportation Code, to require the application for a permit from the Texas Department of Transportation (department) and a permit issued by the department to be in the form prescribed by the department.

SECTION 4. Amends Section 623.094(b), Transportation Code, to make a conforming change.

SECTION 5. Amends Sections 623.096 and 623.097, Transportation Code, as follows:

Sec. 623.096. New heading: FEE FOR PERMIT ISSUED BY DEPARTMENT. Makes conforming changes.

Sec. 623.097. New heading: DURATION OF PERMIT ISSUED BY DEPARTMENT. Makes a conforming change.

SECTION 6. Amends Section 623.098(b), Transportation Code, to make a conforming change.

SECTION 7. Amends Section 623.100(a), Transportation Code, to make a conforming change.

SECTION 8. Amends Section 623.104, Transportation Code, as follows:

Sec. 623.104. New heading: CIVIL AND GENERAL CRIMINAL PENALTIES. Makes a conforming change. Provides that Subsections (b) and (c) do not apply to an offense under Section 623.105(f).

SECTION 9. Amends Chapter 623E, Transportation Code, by adding Section 623.105, as follows:

Sec. 623.105. COUNTY PERMIT FOR MOVEMENT OF MANUFACTURED HOUSE.

(a) Authorizes the commissioners court of a county to require a permit for the movement of a manufactured house in excess of legal size limits for a motor vehicle over a county road, bridge, or culvert that has a load limitation established under Chapter 621B or Section 621.301.

(b) Prohibits a person, in a county in which a permit for the movement of a manufactured house is required, from moving a manufactured house in excess of legal size limits for a motor vehicle over a county road, bridge, or culvert that has a load limitation established under Chapter 621B or Section 621.301, except under certain conditions.

(c) Authorizes the commissioners court of a county to impose a nonrefundable application fee not to exceed \$10 for a permit under Subsection (b).

(d) Requires a person's application, if the person applying for a permit under Subsection (b) holds a permit issued by the department for the movement of the manufactured house, to be accompanied by copies of certain stated items.

(e) Requires a permit issued under Subsection (b) to meet certain requirements.

(f) Sets forth guidelines for an offense committed under this section.

(g) Provides that an offense under Subsection (f) is a Class C misdemeanor.

SECTION 10. Effective date: September 1, 2001.

Makes application of this Act prospective.