

TEXAS TRANSPORTATION COMMISSION

ALL Counties

MINUTE ORDER

Page 1 of 1

ALL Districts

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §28.14, §28.41, §28.62, §28.63, §28.101, and §28.102, relating to oversized and overweight vehicles and loads, to be codified under Title 43, Texas Administrative Code, Part 1.

The preamble and the proposed amendments, attached to this minute order as Exhibits A - E, are incorporated by reference as though set forth at length verbatim in this minute order.

IT IS THEREFORE ORDERED by the commission that the amendments to §28.14, §28.41, §28.62, §28.63, §28.101, and §28.102 are proposed for adoption and are authorized for publication in the *Texas Register* for the purpose of receiving public comments.

The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Submitted and reviewed by: .

Carol C. Dawls

Director, Motor Carrier Division

Recommended by:

M. W. Behren

Executive Director

**110695 SEP 28 06**

Minute  
Number

Date  
Passed

1 Proposed Preamble

2 The Texas Department of Transportation (department) proposes  
3 amendments to §28.14, Manufactured Housing, and Industrialized  
4 Housing and Building Permits, §28.41, General Requirements,  
5 §28.62, Single Trip Mileage Permits, §28.63, Quarterly Hubometer  
6 Permits, §28.101, Responsibilities, and §28.102, Permit Issuance  
7 Requirements and Procedures.

8

9 EXPLANATION OF PROPOSED AMENDMENTS

10 The proposed amendments are necessary to: clarify permit  
11 issuance under manufactured and industrialized housing law in  
12 Transportation Code, §623.091 and Occupations Code, §1202.002  
13 and §1202.003; correct statutory citations; and to update,  
14 streamline, and improve the effectiveness of the permitting  
15 process in Chambers County.

16

17 Amended language in Section §28.14(b)(2) clarifies that only  
18 industrialized housing and buildings that meet the definitions  
19 in Occupations Code, §1202.002 and §1202.003, qualify for a  
20 manufactured housing permit.

21

22 Amended language in §28.41, §28.62, and §28.63 changes a  
23 statutory citation to conform to current law.

24

25 Amended language in §28.101(f)(3), (g)(1), and (h)(1) clarifies

1 that fee collections will be deposited into the state highway  
2 fund at pre-determined intervals as set in the maintenance  
3 contract between the department and Chambers County. Section  
4 28.101(h)(2) is deleted as it is no longer necessary due to the  
5 changes in section 28.101(h)(1).

6  
7 Sections 28.102(a)(5), (9), and (12) are deleted to streamline  
8 the permit application process. The tire and axle information,  
9 name of the driver, and the name of the employee who issued the  
10 permit are not necessary for the issuance of a permit. Removing  
11 the requirement for tire and axle information will allow the  
12 permit holder to operate any legally registered truck and  
13 trailer that meets all other requirements of this subchapter.  
14 Permits are generally processed automatically through the  
15 Chambers County permitting system, therefore an employee is not  
16 always involved in the process to be named on the application.  
17 In addition, a driver-specific permit has created administrative  
18 problems due to the nature of the motor carriers operating  
19 within the Cedar Crossing Business Park. Removing this  
20 requirement allows the motor carrier to replace drivers without  
21 applying for additional or amended permits.

22  
23 New §28.102(i) is added to clarify that loads moving exclusively  
24 within the Cedar Crossing Business Park must obtain a Chambers  
25 County permit. The department has determined that requiring the

1 Chambers County permit when the vehicle is eligible will provide  
2 a more efficient process.

3

4 FISCAL NOTE

5 James Bass, Chief Financial Officer, has determined that for  
6 each of the first five years the amendments as proposed are in  
7 effect, there will be no fiscal implications for state or local  
8 governments as a result of enforcing or administering the  
9 amendments. There are no anticipated economic costs for persons  
10 required to comply with the sections as proposed.

11

12 Carol Davis, Director, Motor Carrier Division, has certified  
13 that there will be no significant impact on local economies or  
14 overall employment as a result of enforcing or administering the  
15 amendments.

16

17 PUBLIC BENEFIT

18 Ms. Davis has also determined that for each year of the first  
19 five years the sections are in effect, the public benefit  
20 anticipated as a result of enforcing or administering the  
21 amendments will be a better understanding of what type of  
22 industrialized housing and buildings qualify for specialized  
23 permits and an improved Chambers County permit process. There  
24 will be no adverse economic effect on small businesses.

25

1 SUBMITTAL OF COMMENTS

2 Written comments on the proposed amendments to §28.14, §28.41,  
3 §28.62, §28.63, §28.101, and §28.102 may be submitted to Carol  
4 Davis, Director, Motor Carrier Division, Texas Department of  
5 Transportation, 125 East 11th Street, Austin, Texas 78701-2483.  
6 The deadline for receipt of comments is 5:00 p.m. on November  
7 13, 2006.

8

9 STATUTORY AUTHORITY

10 The amendments are proposed under Transportation Code, §201.101,  
11 which provides the Texas Transportation Commission with the  
12 authority to establish rules for the conduct of the work of the  
13 department, and more specifically, Transportation Code, Chapter  
14 623, which authorizes the department to administer the  
15 provisions of the laws governing the issuance of permits for the  
16 movement of oversize and overweight vehicles and loads.

17

18 CROSS REFERENCE TO STATUTE

19 Transportation Code, §623.091 and Occupations Code, §1202.002  
20 and §1202.003.

1 SUBCHAPTER B. GENERAL PERMITS

2 §28.14. Manufactured Housing, and Industrialized Housing and  
3 Building Permits.

4 (a) General information.

5 (1) A manufactured home that exceeds size limits for  
6 motor vehicles as defined by Transportation Code, Chapter 621,  
7 Subchapters B and C, must obtain a permit from the department.

8 (2) Pursuant to Transportation Code, Chapter 623,  
9 Subchapter E, a permit may be issued to persons registered as  
10 manufacturers, installers, or retailers with the Texas  
11 Department of Housing and Community Affairs or motor carriers  
12 registered with the department under Transportation Code,  
13 Chapter 643.

14 (3) The department may issue a permit to the owner of a  
15 manufactured home provided that:

16 (A) the same owner is named on the title of the  
17 manufactured home and towing vehicle;

18 (B) or the owner presents a lease showing that the  
19 owner of the manufactured home is the lessee of the towing  
20 vehicle.

21 (b) Application for permit.

22 (1) The applicant must complete the application and shall  
23 include the manufactured home's HUD label number, Texas seal

1 number, or the complete identification number or serial number  
2 of the manufactured home, and the overall width, height, and  
3 length of the home and the towing vehicle in combination. If  
4 the manufactured home is being moved to or from a site in this  
5 state where it has been, or will be, occupied as a dwelling, the  
6 permit must also show the name of the owner of the home, the  
7 location from which the home is being moved, and the location to  
8 which the home is being delivered.

9           (2) A permit application for industrialized housing or  
10 industrialized building that does not meet the definition in  
11 Occupations Code, §1202.002 and §1202.003 [~~Applications for~~  
12 ~~industrialized housing and building permits, and permits for~~  
13 ~~manufactured housing not being transported from the manufacturer~~  
14 ~~or retailer pursuant to the original sale, exchange, or lease~~  
15 ~~purchase of the manufactured home to a consumer,~~] shall be  
16 submitted in accordance with §28.11(c) of this subchapter  
17 (relating to General Oversize/Overweight Permit Requirements and  
18 Procedures).

19           (c) Permit issuance.

20           (1) Permit issuance is subject to the requirements of  
21 §28.11(e)(4) of this subchapter (relating to General  
22 Oversize/Overweight Permit Requirements and Procedures).

23           (2) Amendments can only be made to change intermediate

1 points between the origination and destination points listed on  
2 the permit.

3 (d) Payment of permit fee. The cost of the permit is \$20,  
4 payable in accordance with §28.11(f) of this subchapter  
5 (relating to General Oversize/Overweight Permit Requirements and  
6 Procedures).

7 (e) Permit provisions and conditions.

8 (1) The overall combined length of the manufactured home  
9 and the towing vehicle includes the length of the hitch or  
10 towing device.

11 (2) The height is measured from the roadbed to the  
12 highest elevation of the manufactured home.

13 (3) The width of a manufactured home includes any roof or  
14 eaves extension or overhang on either side.

15 (4) A permit will be issued for a single continuous  
16 movement not to exceed five days.

17 (5) Movement must be made during daylight hours only and  
18 may be made on any day except New Year's Day, Memorial Day,  
19 Independence Day, Labor Day, Thanksgiving Day, and Christmas  
20 Day.

21 (6) The department may limit the hours for travel on  
22 certain routes because of heavy traffic conditions.

23 (7) The department will publish any limitations on

1 movements during the national holidays listed in this  
2 subsection, or any limitations during certain hours of heavy  
3 traffic conditions, and will make such publications available to  
4 the public prior to the limitations becoming effective.

5 (8) The permit will contain the route for the  
6 transportation of the manufactured home from the point of origin  
7 to the point of destination.

8 (9) The route for the transportation must be the most  
9 practical route as described in §28.11(e) of this subchapter  
10 (relating to General Oversize/Overweight Permit Requirements and  
11 Procedures), except where construction is in progress and the  
12 permitted vehicle's dimensions exceed the construction  
13 restrictions as published by the department, or where bridge or  
14 overpass width or height would create a safety hazard.

15 (10) The department will publish annually a map or list  
16 of all bridges or overpasses which, due to height or width,  
17 require an escort vehicle to stop oncoming traffic while the  
18 manufactured home crosses the bridge or overpass.

19 (11) A permittee may not transport a manufactured home  
20 with a void permit; a new permit must be obtained.

21 (f) Escort requirements.

22 (1) A manufactured home exceeding 12 feet in width must  
23 have a rotating amber beacon of not less than eight inches in

1 diameter mounted somewhere on the roof at the rear of the  
2 manufactured home, or may have two five-inch flashing amber  
3 lights mounted approximately six feet from ground level at the  
4 rear corners of the manufactured home. The towing vehicle must  
5 have one rotating amber beacon of not less than eight inches in  
6 diameter mounted on top of the cab. These beacons or flashing  
7 lights must be operational and luminiferous during any permitted  
8 move over the highways, roads, and streets of this state.

9 (2) A manufactured home with a width exceeding 16 feet  
10 but not exceeding 18 feet must have a front escort vehicle on  
11 two-lane roadways and a rear escort vehicle on roadways of four  
12 or more lanes.

13 (3) A manufactured home exceeding 18 feet in width must  
14 have a front and a rear escort on all roadways at all times.

15 (4) The escort vehicle must:

16 (A) have one red 16 inch square flag mounted on each of  
17 the four corners of the vehicle;

18 (B) have a sign mounted on the front and rear of the  
19 vehicle displaying the words "WIDE LOAD" in black letters at  
20 least eight inches high with a brush stroke at least 1.41 inches  
21 wide against a yellow background;

22 (C) have an amber light or lights, visible from both  
23 front and rear, mounted on top of the vehicle in one of the

1 following configurations:

2 (i) two simultaneously flashing lights or

3 (ii) one rotating beacon of not less than eight  
4 inches in diameter; and

5 (D) maintain two-way communications with the permitted  
6 vehicle and other escort vehicles involved with the movement of  
7 the permitted vehicle.

8 (5) Two transportable sections of a multi-section  
9 manufactured home, or two single section manufactured homes,  
10 when towed together in convoy, may be considered one home for  
11 purposes of the escort vehicle requirements, provided the  
12 distance between the two units does not exceed 1,000 feet.

13 (6) An escort vehicle must comply with the requirements  
14 in §28.11(k)(1) and §28.11(k)(7)(A) of this subchapter [~~title~~]  
15 (relating to General Oversize/Overweight Permit Requirements and  
16 Procedures).

1 SUBCHAPTER D. PERMITS FOR OVERSIZE AND OVERWEIGHT  
2 OIL WELL RELATED VEHICLES  
3

4 §28.41. General Requirements.

5 (a) General information.

6 (1) Permits issued under this subchapter, with the  
7 exception of permits issued under §28.45 of this title (relating  
8 to Permits for Vehicles Transporting Liquid Products Related to  
9 Oil Well Production), are subject to the requirements of this  
10 section.

11 (2) Oil well related vehicles are eligible for:

12 (A) single-trip mileage permits;

13 (B) quarterly hubometer permits; and

14 (C) annual permits.

15 (b) Prerequisites to obtaining an oversize/overweight  
16 permit. A unit permitted under this subchapter must be  
17 registered under Transportation Code, Chapter 502, for the  
18 maximum gross weight applicable to the vehicle under  
19 Transportation Code, §621.101, or have the distinguishing  
20 license plates as provided by Transportation Code, §504.504  
21 [~~§502.276~~], if applicable to the vehicle.

22 (c) Payment of permit fees. Fees for permits issued under  
23 this subchapter are payable as described in §28.11(f) of this  
24 title (relating to General Oversize/Overweight Permit

1 Requirements and Procedures).

2 (d) Restrictions.

3 (1) A vehicle permitted under this subchapter is subject  
4 to the restrictions specified in §28.11(1) of this title, and  
5 the permittee is responsible for obtaining information  
6 concerning current restrictions from the department.

7 (2) Vehicles permitted under this subchapter may not  
8 cross a load restricted bridge when exceeding the posted  
9 capacity of such. Vehicles permitted under this subchapter may  
10 travel on a load restricted road unless otherwise noted.

11 (3) A vehicle permitted under this subchapter may travel  
12 through highway construction or maintenance areas provided the  
13 dimensions do not exceed the construction restrictions as  
14 published by the department.

15 (4) A unit exceeding nine feet in width, 14 feet in  
16 height, or 65 feet in length is restricted to daylight movement  
17 only.

18 (e) Void permits. A permit will be voided when the  
19 department is informed by law enforcement that a citation has  
20 been issued for a violation of a permit's terms and conditions.

21 (f) Transferability. Unless otherwise noted, a permit  
22 issued under this subchapter may not be transferred between  
23 units or permittees.

1           (g) Records retention. A unit permitted under this section  
2 must keep the permit and any attachments to the permit in the  
3 unit until the day after the date the permit expires.

4           (h) Escort requirements. In addition to any other escort  
5 requirements specified in this subchapter, vehicles permitted  
6 under this subchapter are subject to the escort requirements  
7 specified in §28.11(k) of this title.

1 SUBCHAPTER E. PERMITS FOR OVERSIZE AND OVERWEIGHT  
2 UNLADEN LIFT EQUIPMENT MOTOR VEHICLES  
3

4 §28.62. Single Trip Mileage Permits.

5 (a) General information.

6 (1) Permits issued under this section are subject to the  
7 requirements of §28.61 of this title (relating to General  
8 Requirements for Permits for Oversize and Overweight Unladen  
9 Lift Equipment Motor Vehicles).

10 (2) A single trip mileage permit:

11 (A) is limited to a maximum of seven consecutive days;

12 (B) is routed from the point of origin to the point of  
13 destination and has the route listed on the permit; and

14 (C) allows the crane to be returned to the point of  
15 origin on the same permit, provided the return trip is made  
16 within the time period stated in the permit.

17 (3) A crane permitted under Transportation Code, Chapter  
18 623, Subchapter J, must be registered under Transportation Code,  
19 Chapter 502, for the maximum gross weight applicable to the  
20 vehicle under Transportation Code, Section 621.101 or have the  
21 distinguishing license plates as provided by Transportation  
22 Code, §504.504 [~~Section 502.276~~] if applicable to the vehicle.

23 (4) A crane exceeding 175,000 pounds gross weight must:

24 (A) have front and rear escort vehicles to prevent

1 traffic from traveling beside the crane as it crosses a bridge;

2 (B) cross all multi-lane bridges by centering the crane  
3 on a lane line;

4 (C) cross all two-lane bridges in the center of the  
5 bridge; and

6 (D) cross each bridge at a speed not greater than 20  
7 miles per hour.

8 (5) A crane exceeding 12 feet in width must be centered  
9 in the outside traffic lane of any highway that has paved  
10 shoulders.

11 (6) The permitted vehicle must not cross a load  
12 restricted bridge when exceeding the posted capacity of such.

13 (b) - (f) (No change.)

14

15 §28.63. Quarterly Hubometer Permits.

16 (a) General information.

17 (1) Permits issued under this section are subject to the  
18 requirements of §28.61 of this subchapter (relating to General  
19 Requirements for Permits for Oversize and Overweight Unladen  
20 Lift Equipment Motor Vehicles).

21 (2) A quarterly hubometer permit:

22 (A) is effective for three consecutive months (for  
23 example, a permit issued with a beginning date of January 15

1 will terminate on April 14, or a permit issued with a beginning  
2 date of July 1 will terminate on September 30);

3 (B) allows the vehicle to travel on all state-  
4 maintained highways; and

5 (C) allows the unit to travel on a state-wide basis.

6 (3) A crane permitted under this section must not exceed  
7 any of the following dimensions:

8 (A) 12 feet in width;

9 (B) 14 feet, 6 inches in height; or

10 (C) 95 feet in length.

11 (4) A crane permitted under this section must be  
12 registered under Transportation Code, Chapter 502, for the  
13 maximum gross weight applicable to the vehicle under  
14 Transportation Code, Section 621.101, or have the distinguishing  
15 license plates as provided by Transportation Code, §504.504  
16 [~~Section 502.276~~], if applicable to the vehicle.

17 (5) With the exception of cranes that are overlength  
18 only, cranes operated with a quarterly hubometer permit must be  
19 equipped with a hubometer. The permittee must maintain the  
20 hubometer in good working condition.

21 (6) A crane exceeding 175,000 pounds gross weight must:

22 (A) have front and rear escort vehicles to prevent  
23 traffic from traveling beside the crane as it crosses a bridge;

1 (B) cross all multi-lane bridges by centering the crane  
2 on a lane line;

3 (C) cross all two-lane bridges in the center of the  
4 bridge; and

5 (D) cross each bridge at a speed not greater than 20  
6 miles per hour.

7 (7) A crane exceeding 12 feet in width must be centered  
8 in the outside traffic lane of any highway that has paved  
9 shoulders.

10 (8) A crane will be permitted for night movement provided  
11 that it does not exceed 10 feet 6 inches in width, 14 feet in  
12 height, or 95 feet in length. A crane moving at night must be  
13 accompanied by a front and rear escort vehicle.

14 (9) The permitted vehicle must not cross a load  
15 restricted bridge when exceeding the posted capacity of such.

16 (10) The permit may be amended only to indicate:

17 (A) a new hubometer serial number; or

18 (B) a new license plate number.

19 (b) - (e) (No change.)

1                   SUBCHAPTER H. CHAMBERS COUNTY PERMITS

2 §28.101. Responsibilities.

3           (a) Surety bond. Chambers County shall post a surety bond  
4 in the amount of \$500,000 for the purpose of reimbursing the  
5 department for actual maintenance costs of Farm-to-Market Road  
6 1405 and the frontage road of State Highway 99 located in the  
7 Cedar Crossing Business Park in the event that sufficient  
8 revenue is not collected from permits issued under this  
9 subchapter.

10           (b) Verification of permits. All permits issued by  
11 Chambers County shall be carried in the permitted vehicle.  
12 Chambers County shall provide access or a phone number for  
13 verification of permit authenticity by law enforcement or  
14 department personnel.

15           (c) Training. Chambers County shall secure any training  
16 necessary for personnel to issue permits under this subchapter.  
17 The department may provide assistance with training upon request  
18 by Chambers County.

19           (d) Accounting. The department shall develop accounting  
20 procedures related to permits issued under this subchapter for  
21 the purpose of revenue collections and any payment made to the  
22 department under subsection (h) of this section.

23           (e) Audits. The department may conduct audits of all

1 permits issued by Chambers County semi-annually or upon  
2 direction by the executive director under this subchapter. In  
3 order to insure compliance, audits will at a minimum include a  
4 review of all permits issued, financial transaction records  
5 related to permit issuance, review of vehicle scale weight  
6 tickets and monitoring of personnel issuing permits under this  
7 subchapter.

8 (f) Revocation of authority to issue permits. If the  
9 department determines as a result of an audit that Chambers  
10 County is not complying with this subchapter, the executive  
11 director will issue a notice to Chambers County allowing 30 days  
12 to correct any non-compliance issue. If after 30 days it is  
13 determined that Chambers County is not in compliance, then the  
14 executive director may revoke Chambers County's authority to  
15 issue permits.

16 (1) Upon notification that its authority to issue permits  
17 under this subchapter has been revoked, Chambers County may  
18 appeal the revocation to the commission in writing.

19 (2) In cases where a revocation is being appealed,  
20 Chambers County's authority to issue permits under this  
21 subchapter shall remain in effect until the commission makes a  
22 final decision regarding the appeal.

23 (3) Upon revocation of authority to issue permits,

1 termination of the maintenance contract, or expiration of this  
2 subchapter, all permit fees collected by Chambers County, less  
3 allowable [~~with the exception of~~] administrative costs [~~already~~  
4 ~~expended~~], shall be paid to the department.

5 (g) Permit fees [~~Fees~~]. Permit fees [~~Fees~~] collected under  
6 this subchapter shall be used solely to provide funds for the  
7 payments provided for under Transportation Code, §623.253, less  
8 administrative costs.

9 (1) The permit fee shall not exceed \$80 per trip.  
10 Chambers County may retain up to 15% of such permit fees for  
11 administrative costs, and the balance of the permit fees shall  
12 be deposited in the state highway fund to be used [~~to make~~  
13 ~~payments to the department~~] for maintenance of Farm-to-Market  
14 Road 1405 and the frontage road of State Highway 99 located in  
15 the Cedar Crossing Business Park.

16 (2) Chambers County may issue a permit and collect a fee  
17 for any vehicle or vehicle combination weighing up to 100,000  
18 pounds, and with load dimensions not exceeding 12' wide, 16'  
19 high or 110' long, traveling only on Farm-to-Market Road 1405  
20 and the frontage road of State Highway 99 located in the Cedar  
21 Crossing Business Park.

22 (h) Maintenance contract. Chambers County shall enter into  
23 a maintenance contract with the department for the maintenance

1 of Farm-to-Market Road 1405 and the frontage road of State  
2 Highway 99 located in the Cedar Crossing Business Park.

3 (1) The maintenance contract shall provide for a system  
4 of payments of all permit fees, less allowable administrative  
5 costs, from Chambers County to the state highway fund  
6 ~~[department for all maintenance costs expended by the~~  
7 ~~department]~~ to maintain Farm-to-Market Road 1405 and the  
8 frontage road of State Highway 99 located in the Cedar Crossing  
9 Business Park to the current level of service or pavement  
10 conditions.

11 (2) Maintenance shall include, but is not limited to,  
12 routine maintenance, preventive maintenance, and total  
13 reconstruction of the roadway and bridge structures as  
14 determined by the department to maintain the current level of  
15 service.

16 ~~[(2) Chambers County may make direct restitution to the~~  
17 ~~department for actual maintenance costs from this fund in lieu~~  
18 ~~of the department filing against the surety bond required in~~  
19 ~~subsection (a) of this section, in the event that sufficient~~  
20 ~~revenue is not collected.]~~

21 (i) Reporting. Chambers County shall provide monthly and  
22 annual reports to the department's Finance Division regarding  
23 all permits issued and fees collected. The report must be in a

1 format approved by the department.

2

3 §28.102. Permit Issuance Requirements and Procedures.

4 (a) Permit application. Application for a permit issued  
5 under this subchapter shall be in a form approved by the  
6 department, and shall at a minimum include:

7 (1) the name of the applicant;

8 (2) date of issuance;

9 (3) signature of the designated agent of Chambers County;

10 (4) a statement of the kind of cargo being transported;

11 (5) the maximum weight and dimensions of the proposed  
12 vehicle combination [~~, including number of tires on each axle,  
13 tire size for each axle, distance between each axle, measured  
14 from center of axle to center of axle, and the specific weight  
15 of each individual axle when loaded~~];

16 (6) the kind and weight of each commodity to be  
17 transported;

18 (7) a statement of any condition on which the permit is  
19 issued;

20 (8) a statement that the cargo shall be transported over  
21 the most direct route using only Farm-to-Market Road 1405 and  
22 the frontage road of State Highway 99 located in the Cedar  
23 Crossing Business Park;

1           ~~[(9) the name of the driver of the vehicle in which the~~  
2 ~~cargo is to be transported.]~~

3           (9) ~~[(10)]~~ the location where the cargo was loaded; and

4           (10) ~~[(11)]~~ the date(s) on which movement authorized by  
5 the permit is allowed. ~~[+and]~~

6           ~~[(12) the name of the specific Chambers County employee~~  
7 ~~issuing the permit.]~~

8           (b) Permit issuance.

9           (1) General.

10           (A) The original permit must be carried in the vehicle  
11 for which it is issued.

12           (B) A permit is void when an applicant:

13           (i) gives false or incorrect information;

14           (ii) does not comply with the restrictions or  
15 conditions stated in the permit; or

16           (iii) changes or alters the information on the  
17 permit.

18           (C) A permittee may not transport an overdimension or  
19 overweight load with a voided permit.

20           (2) Payment of permit fee. Chambers County may determine  
21 acceptable methods of payment. All fees transmitted to the  
22 department must be in U.S. currency.

23           (c) Maximum permit weight limits.

1           (1) An axle group must have a minimum spacing of four  
2 feet, measuring from center of axle to center of axle, between  
3 each axle in the group, to achieve the maximum permit weight for  
4 the group.

5           (2) Two or more consecutive axle groups must have an axle  
6 spacing of 12 feet or greater, measured from the center of the  
7 last axle of the preceding group to the center of the first axle  
8 of the following group, in order for each group to be permitted  
9 for maximum permit weight.

10           (3) Maximum permit weight for an axle or axle group is  
11 based on 650 pounds per inch of tire width or the following axle  
12 or axle group weights, whichever is the lesser amount;

13           (A) single axle--25,000 pounds;

14           (B) two axle group--46,000 pounds;

15           (C) three axle group--60,000 pounds;

16           (D) four axle group--70,000 pounds;

17           (E) five axle group--81,400 pounds;

18           (F) trunnion axles--60,000 pounds if:

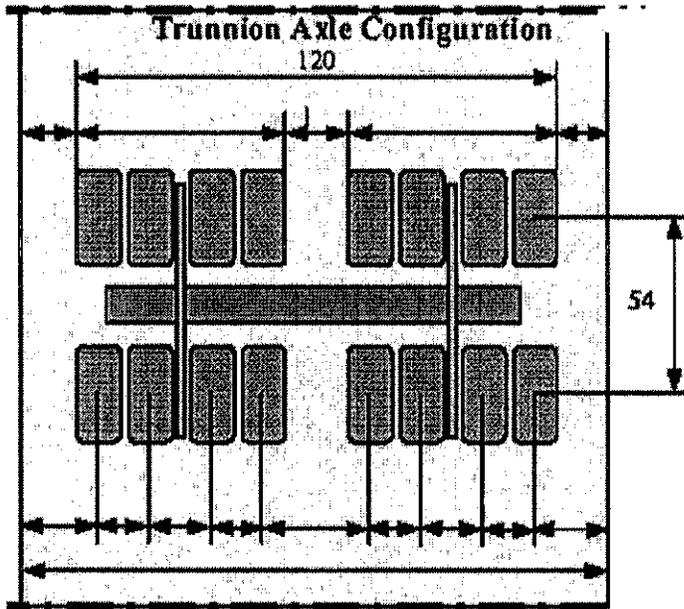
19           (i) the trunnion configuration has two axles;

20           (ii) there are a total of 16 tires for a trunnion  
21 configuration; and

22           (iii) the trunnion axle as shown in the following  
23 diagram is 10 feet in width.

1 Figure: 43 TAC §28.102(c)(3)(F)(iii)

2



3

4 (4) A permit issued under this subchapter does not  
5 authorize the vehicle to exceed manufacturer's tire load rating.

6 (d) Vehicles exceeding weight limits. Any vehicle  
7 exceeding weight limits outlined in subsection (c) of this  
8 section, shall apply directly to the department for an oversize  
9 or overweight permit in accordance with §28.11 of this chapter  
10 (relating to General Oversize/Overweight Permit Requirements and  
11 Procedures).

12 (e) Registration. Any vehicle or combination of vehicles  
13 permitted under this subchapter shall be registered in  
14 accordance with Transportation Code, Chapter 502.

15 (f) Travel conditions. Movement of a permitted vehicle is

1 prohibited when visibility is reduced to less than 2/10 of one  
2 mile or the road surface is hazardous due to weather conditions  
3 such as rain, ice, sleet, or snow, or highway maintenance or  
4 construction work.

5 (g) Daylight and night movement restrictions. An oversize  
6 permitted vehicle may be moved only during daylight hours;  
7 however, an overweight only permitted vehicle may be moved at  
8 any time.

9 (h) Restrictions.

10 (1) Any vehicle issued a permit by Chambers County must  
11 be weighed on scales capable of determining permitted loaded  
12 gross vehicle weights and individual axle loads. For the  
13 purpose of ensuring the accuracy of the permit, the scales must  
14 be certified by the Texas Department of Agriculture.

15 (2) A copy of the certified weight ticket shall be  
16 retained by Chambers County and become a part of the official  
17 permit record subject to inspection by department personnel or  
18 Texas Department of Public Safety personnel.

19 (3) The owner of a vehicle permitted under this  
20 subchapter must be registered as a motor carrier in accordance  
21 with Transportation Code, Chapters 643 or 645, prior to the  
22 oversize or overweight permit being issued. Chambers County  
23 shall maintain records relative to this subchapter, which are

1 subject to audit by department personnel.

2 (4) Permits issued by Chambers County shall be in a form  
3 prescribed by the department.

4 (5) The maximum speed for a permitted vehicle shall be 55  
5 miles per hour or the posted maximum, whichever is less.

6 (i) Issuing entity. A motor carrier transporting loads  
7 that fall within the size and weight limits of §28.101 of this  
8 subchapter (relating to Responsibilities) on trips originating  
9 and terminating within the Cedar Crossing Business Park using  
10 Farm-to-Market Road 1405 or the frontage road of State Highway  
11 99 must obtain a permit from Chambers County.