

TRANSPORTATION CODE
CHAPTER 622. SPECIAL PROVISIONS AND EXCEPTIONS FOR OVERSIZE OR
OVERWEIGHT VEHICLES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 622.001. DEFINITION. In this chapter, "department" means the Texas Department of Transportation.
Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER B. VEHICLES TRANSPORTING READY-MIXED CONCRETE

Sec. 622.011. DEFINITION; DESIGNATION AS PERISHABLE. (a) In this subchapter, "ready-mixed concrete truck" means:

(1) a vehicle designed exclusively to transport or manufacture ready-mixed concrete and includes a vehicle designed exclusively to transport and manufacture ready-mixed concrete; or

(2) a concrete pump truck.

(b) Ready-mixed concrete is a perishable product.
Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 30.134(a), eff. Sept. 1, 1997.

Sec. 622.012. AXLE WEIGHT RESTRICTIONS. (a) A ready-mixed concrete truck may be operated on a public highway of this state only if the tandem axle weight is not heavier than 46,000 pounds and the single axle weight is not heavier than 23,000 pounds.

(b) A truck may be operated at a weight that exceeds the maximum single axle or tandem axle weight limitation by not more than 10 percent if the gross weight is not heavier than 69,000 pounds.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 30.135, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 941, Sec. 29, eff. Sept. 1, 2001.

Sec. 622.013. SURETY BOND. (a) The owner of a ready-mixed concrete truck with a tandem axle weight heavier than 34,000 pounds shall before operating the vehicle on a public highway of this state file with the department a surety bond subject to the approval of the department in the principal amount set by the department not to exceed \$15,000 for each truck.

(b) The bond must be conditioned that the owner of the truck will pay to the state, within the limit of the bond, any damage to a highway caused by the operation of the truck.

(c) A copy of the bond shall be:

(1) carried on the vehicle when the vehicle is on a public highway; and

(2) presented to an officer authorized to enforce this chapter on request of the officer.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 30, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 942, Sec. 1, eff. Sept. 1, 2001.

Sec. 622.014. LOCAL REGULATION. (a) The governing body of a county or municipality that determines a public highway under its jurisdiction is insufficient to carry a load authorized by Section 622.012 may prescribe, by order or ordinance, rules governing the operation of a ready-mixed concrete truck over a public highway maintained by the county or municipality.

(b) The rules may include weight limitations on a truck with:

(1) a tandem axle weight that is heavier than 36,000 pounds;

(2) a single axle weight that is heavier than 12,000 pounds; or

(3) a gross weight that is heavier than 48,000 pounds.
Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 31, eff. Sept. 1, 2001.

Sec. 622.015. LOCAL SURETY BOND. The governing body of a county or municipality may require the owner of a ready-mixed concrete truck to file a surety bond in an amount not to exceed \$15,000 and conditioned that the owner of the truck will pay to the county or municipality any damage to a highway caused by the operation of the truck with a tandem axle weight that is heavier than 34,000 pounds.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 32, eff. Sept. 1, 2001.

Sec. 622.016. INTERSTATE AND DEFENSE HIGHWAYS. (a) This subchapter does not authorize the operation on the national system of interstate and defense highways in this state of a vehicle of a size or weight greater than that authorized by 23 U.S.C. Section 127, as amended.

(b) If the United States authorizes the operation on the national system of interstate and defense highways of a vehicle of a size or weight greater than that authorized on January 1, 1977, the new limit automatically takes effect on the national system of interstate and defense highways in this state.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 622.017. PENALTIES. (a) Repealed by Acts 2001, 77th Leg., ch. 941, Sec. 44, eff. Sept. 1, 2001.

(b) Except as provided by Subsections (c) and (d), an offense under this section is a misdemeanor punishable:

(1) by a fine of not more than \$200;

(2) on conviction within one year after the date of a prior conviction under this section that was punishable under Subdivision (1), by a fine of not more than \$500, by confinement in the county jail for not more than 60 days, or by both the fine and the confinement; or

(3) on conviction within one year after the date of a prior conviction under this section that was punishable under Subdivision (2) or this subdivision, by a fine of not more than \$1,000, by confinement in the county jail for not more than six months, or by both the fine and the confinement.

(c) Repealed by Acts 2001, 77th Leg., ch. 941, Sec. 44, eff. Sept. 1, 2001.

(d) A person commits an offense if the person fails in violation of Section 622.013(c) to carry or present the copy of the bond filed with the department. An offense under this subsection is a misdemeanor punishable by a fine not to exceed \$200.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 942, Sec. 2, eff. Sept. 1, 2001.

Sec. 622.018. DEFENSE TO PROSECUTION: BOND IN EFFECT. (a) It is a defense to prosecution under Section 622.017 that the person charged produces a surety bond that complies with Section 622.013 that was valid at the time the offense is alleged to have occurred.

(b) If the court verifies the bond produced by the person, the court shall dismiss the charge.

Added by Acts 2001, 77th Leg., ch. 942, Sec. 3, eff. Sept. 1, 2001.

SUBCHAPTER C. VEHICLES TRANSPORTING MILK

Sec. 622.031. LENGTH AND AXLE WEIGHT RESTRICTIONS. A vehicle used exclusively to transport milk may be operated on a public highway of this state only if:

(1) the distance between the front wheel of the forward tandem axle and the rear wheel of the rear tandem axle, measured longitudinally, is 28 feet or more; and

(2) the weight carried on any group of axles is not heavier than 68,000 pounds.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 33, eff. Sept. 1, 2001.

Sec. 622.032. INTERSTATE AND DEFENSE HIGHWAYS. (a) This subchapter does not authorize the operation on the national system of interstate and defense highways in this state of a vehicle of a size or weight greater than that authorized by 23 U.S.C. Section 127, as amended.

(b) If the United States authorizes the operation on the national system of interstate and defense highways of a vehicle of a size or weight greater than that authorized by 23 U.S.C. Section 127 on August 29, 1977, the new limit takes effect on the national system of interstate and defense highways in this state.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER D. VEHICLES TRANSPORTING TIMBER OR TIMBER PRODUCTS

Sec. 622.041. LENGTH LIMITATION. (a) A person may operate over a highway or road of this state a vehicle or combination of vehicles that is used exclusively for transporting poles, piling, or unrefined timber from the point of origin of the timber (the forest where the timber is felled) to a wood processing mill if:

(1) the vehicle, or combination of vehicles, is not longer than 90 feet, including the load; and

(2) the distance from the point of origin to the destination or delivery point does not exceed 125 miles.

(b) Subsection (a)(1) does not apply to a truck-tractor or truck-tractor combination transporting poles, piling, or unrefined timber.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 34, eff. Sept. 1, 2001.

Sec. 622.042. TIME OF OPERATION; DISPLAY OF FLAG, CLOTH, OR STROBE LIGHT. (a) A vehicle subject to this subchapter may be

operated only during daytime.

(b) In this section, "daytime" has the meaning assigned by Section 541.401.

(c) A red flag or cloth not less than 12 inches square or a strobe light must be displayed at the rear of the load carried on the vehicle so that the light or the entire area of the flag or cloth is visible to the driver of a vehicle approaching from the rear. Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 30.134(b), eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 749, Sec. 1, eff. Sept. 1, 1999.

Sec. 622.043. CONFORMITY WITH GENERAL PROVISIONS RELATING TO VEHICLE SIZE AND WEIGHT. The width, height, and gross weight of a vehicle or combination of vehicles subject to this subchapter shall conform to Chapter 621.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 622.0435. VEHICLES TRANSPORTING RAW WOOD PRODUCTS. (a) The width, height, and gross weight of a vehicle or combination of vehicles subject to this subchapter that is transporting raw wood products shall conform to Chapters 621 and 623, except that a vehicle or combination of vehicles transporting raw wood products that has an outer bridge of 39 feet or more may have a maximum gross weight of 80,000 pounds.

(b) Notwithstanding any other provision of law, Subsection (a) does not authorize the operation of a vehicle or combination of vehicles subject to this subchapter that is transporting raw wood products on a bridge with a load limitation at a weight that exceeds that limitation.

Added by Acts 1997, 75th Leg., ch. 1106, Sec. 1, eff. Sept. 1, 1997. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 35, eff. Sept. 1, 2001.

Sec. 622.044. EXTENSION OF LOAD BEYOND REAR OF VEHICLE. Section 621.206(a) does not apply to a vehicle to which this subchapter applies to the extent that section prescribes a limit on the extension of the load beyond the rear of the vehicle.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 622.045. INTERSTATE AND DEFENSE HIGHWAYS. (a) This subchapter does not authorize the operation on the national system of interstate and defense highways in this state of a vehicle of a size or weight greater than those permitted under 23 U.S.C. Section 127, as amended.

(b) If the United States authorizes the operation on the national system of interstate and defense highways of a vehicle of a size or weight greater than those permitted under 23 U.S.C. Section 127 on August 29, 1997, the new limit automatically takes effect on the national system of interstate and defense highways in this state.

Added by Acts 2001, 77th Leg., ch. 941, Sec. 36, eff. Sept. 1, 2001.

SUBCHAPTER E. VEHICLES TRANSPORTING ELECTRIC POWER TRANSMISSION POLES

Sec. 622.051. LENGTH LIMITATION; FEE. (a) A person may operate over a highway or road of this state a vehicle or combination of vehicles that is used exclusively for transporting poles required for the maintenance of electric power transmission and distribution lines if:

(1) the vehicle, or combination of vehicles, is not longer than 75 feet, including the load; and

(2) the operator of the vehicle, or combination of vehicles, pays to the department \$120 each calendar year.

(b) Subsection (a)(1) does not apply to a truck-tractor or truck-tractor combination transporting poles for the maintenance of electric power transmission or distribution lines.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 37, eff. Sept. 1, 2001.

Sec. 622.052. TIME OF OPERATION; SPEED; LIGHTING REQUIREMENTS. (a) A vehicle to which this subchapter applies may be operated only:

(1) between sunrise and sunset as defined by law; and

(2) at a speed not to exceed 50 miles per hour.

(b) A vehicle to which this subchapter applies shall display on the extreme end of the load:

(1) two red lamps visible at a distance of at least 500 feet from the rear;

(2) two red reflectors that indicate the maximum width and are visible, when light is insufficient or atmospheric conditions are unfavorable, at all distances from 100 to 600 feet

from the rear when directly in front of lawful lower beams of headlamps; and

(3) two red lamps, one on each side, that indicate the maximum overhang and are visible at a distance of at least 500 feet from the side.

(c) The limitation in Subsection (a)(1) does not apply to a vehicle being operated to prevent interruption or impairment of electric service or to restore electric service that has been interrupted.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1999, 76th Leg., ch. 749, Sec. 2, 3, eff. Sept. 1, 1999.

Sec. 622.053. CONFORMITY WITH GENERAL PROVISIONS RELATING TO VEHICLE SIZE AND WEIGHT. The width, height, and gross weight of a vehicle or combination of vehicles to which this subchapter applies shall conform to Chapter 621.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER F. VEHICLES TRANSPORTING POLES OR PIPE

Sec. 622.061. LENGTH LIMITATION. (a) A person may operate over a highway or road of this state a vehicle or combination of vehicles exclusively for the transportation of poles or pipe if the vehicle or combination of vehicles is not longer than 65 feet, including the load.

(b) Subsection (a) does not apply to a truck-tractor or truck-tractor combination transporting poles or pipe.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 38, eff. Sept. 1, 2001.

Sec. 622.062. TIME OF OPERATION; LIGHTING REQUIREMENTS. (a) A vehicle to which this subchapter applies may be operated only during daytime.

(b) A vehicle to which this subchapter applies shall display on the extreme end of the load:

(1) two red lamps visible at a distance of at least 500 feet from the rear;

(2) two red reflectors that indicate the maximum width and are visible, when light is insufficient or atmospheric conditions are unfavorable, at all distances from 100 to 600 feet from the rear when directly in front of lawful lower beams of headlamps; and

(3) two red lamps, one on each side, that indicate the maximum overhang and are visible at a distance of at least 500 feet from the side.

(c) In this section, "daytime" has the meaning assigned by Section 541.401.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 30.134(c), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1106, Sec. 2, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 749, Sec. 4, 5, eff. Sept. 1, 1999.

Sec. 622.063. CONFORMITY WITH GENERAL PROVISIONS RELATING TO VEHICLE SIZE AND WEIGHT. A vehicle or combination of vehicles to which this subchapter applies shall conform to the length, width, height, and weight requirements of Chapter 621.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER G. SPECIAL MOBILE EQUIPMENT

Sec. 622.071. DEFINITION. In this subchapter, "special mobile equipment" has the meaning assigned by Section 541.201.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 622.072. IDENTIFICATION MARKINGS ON SPECIAL MOBILE EQUIPMENT; OFFENSE. (a) Before the 31st day after the date a person becomes the owner of a unit of special mobile equipment, the person shall mark in a conspicuous place on the main chassis the manufacturer's serial number, an operation identification number recognized by law enforcement agencies, or a company identification number in a manner that is visible from not less than 50 feet.

(b) A person commits an offense if the person:

(1) owns a unit of special mobile equipment; and

(2) fails to mark the unit as provided by this section.

(c) An offense under this section is a misdemeanor punishable by a fine of not less than \$10 or more than \$100 for each unit.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 622.073. TRANSPORTATION OF SPECIAL MOBILE EQUIPMENT; OFFENSE. (a) A person commits an offense if the person transports on a public road or highway a unit of special mobile equipment that is not marked as required by Section 622.072.

(b) Except as provided by Subsection (c), an offense under

this section is a misdemeanor punishable by a fine of not less than \$25 or more than \$200.

(c) An offense under this section is a misdemeanor punishable by a fine of not less than \$200 or more than \$500, confinement in the county jail for a term of not less than 60 days or more than 180 days, or both the fine and the confinement if:

(1) the person committing the offense fails or refuses to exhibit, on demand of a peace officer, a document that contains:

(A) the name, address, and telephone number of the owner of the unit of special mobile equipment;

(B) the place of origin of the unit, including the address of and telephone number at that point and the date the unit was picked up;

(C) the destination of the unit, including the address or telephone number;

(D) a description of the unit being transported, including the manufacturer's serial number and other identification numbers;

(E) a description of the motor vehicle transporting the unit; and

(F) the name, address, and telephone number of the person operating the motor vehicle transporting the unit;

(2) the person committing the offense exhibits a false or forged document purporting to contain the information described by Subdivision (1); or

(3) on inspection by the peace officer, the peace officer determines that the identification number of the unit of special mobile equipment has been removed, covered, or altered.

(d) For purposes of Subsection (c)(3), a peace officer has probable cause to inspect a unit of special mobile equipment to determine the identification numbers of the unit if:

(1) the person operating the motor vehicle transporting the unit fails or refuses to exhibit on demand a document described by Subsection (c)(1); or

(2) the unit is not marked as required by Section 622.072.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 622.074. NONAPPLICABILITY OF SUBCHAPTER. This subchapter does not apply to:

(1) farm equipment used for a purpose other than construction;

(2) special mobile equipment owned by a dealer or distributor;

(3) a vehicle used to propel special mobile equipment that is registered as a farm vehicle as defined by Section 502.163; or

(4) equipment while being used by a commercial hauler to transport special mobile equipment under hire of a person who derives \$500 in gross receipts annually from a farming or ranching enterprise.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER I. VEHICLES TRANSPORTING CERTAIN AGRICULTURAL PRODUCTS OR EQUIPMENT

Sec. 622.101. VEHICLE TRANSPORTING CERTAIN AGRICULTURAL PRODUCTS OR PROCESSING EQUIPMENT. (a) A single motor vehicle used exclusively to transport chile pepper modules, seed cotton, cotton, cotton burrs, or equipment used to transport or process chile pepper modules or cotton, including a motor vehicle or burr spreader, may not be operated on a highway or road if the vehicle is:

(1) wider than 10 feet and the highway has not been designated by the commission under Section 621.202;

(2) longer than 48 feet; or

(3) higher than 14 feet 6 inches.

(b) A motor vehicle that transports agricultural products under this section must be registered under Section 504.505.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 848, Sec. 2, eff. June 18, 1997; Acts 2005, 79th Leg., ch. 247, Sec. 3, eff. Sept. 1, 2005.

SUBCHAPTER J. CERTAIN VEHICLES TRANSPORTING RECYCLABLE MATERIALS

Sec. 622.131. DEFINITION. In this subchapter, "recyclable material" has the meaning assigned by Section 361.421, Health and Safety Code.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.136(a), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 436, Sec. 1, eff. July 15, 1997.

Sec. 622.132. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to a vehicle other than a tractor-trailer combination, only if equipped with a container roll-off unit or a front-end loader.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.136(a), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 436, Sec. 1, eff. July 15, 1997.

Sec. 622.133. AXLE WEIGHT RESTRICTIONS. A single motor vehicle used exclusively to transport recyclable materials may be operated on a public highway only if the tandem axle weight is not heavier than 44,000 pounds, a single axle load is not heavier than 21,000 pounds, and the gross load is not heavier than 64,000 pounds. Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.136(a), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 436, Sec. 1, eff. July 15, 1997. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 39, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 942, Sec. 4, eff. Sept. 1, 2001.

Sec. 622.134. SURETY BOND. (a) Except as provided by Subsection (c), the owner of a vehicle covered by this subchapter with a tandem axle weight heavier than 34,000 pounds shall before operating the vehicle on a public highway of this state file with the department a surety bond subject to the approval of the department in the principal amount set by the department not to exceed \$15,000 for each vehicle.

(b) The bond must be conditioned that the owner of the vehicle will pay, within the limits of the bond, to the state any damage to a highway, to a county any damage to a county road, and to a municipality any damage to a municipal street caused by the operation of the vehicle.

(c) Subsection (a) does not apply to a vehicle owned by a municipality or a county.

(d) A copy of the bond shall be:

(1) carried on the vehicle when the vehicle is on a public highway; and

(2) presented to an officer authorized to enforce this chapter on request of the officer.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.136(a), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 436, Sec. 1, eff. July 15, 1997. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 40, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 942, Sec. 5, eff. Sept. 1, 2001.

Sec. 622.135. INTERSTATE AND DEFENSE HIGHWAYS. (a) This subchapter does not authorize the operation on the national system of interstate and defense highways in this state of a vehicle of a size or weight greater than authorized in 23 U.S.C. Section 127, as amended.

(b) If the United States government authorizes the operation on the national system of interstate and defense highways of vehicles of a size or weight greater than those authorized on January 1, 1983, the new limit automatically takes effect on the national system of interstate and defense highways in this state.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.136(a), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 436, Sec. 1, eff. July 15, 1997.

Sec. 622.136. PENALTY. A person commits an offense if the person fails in violation of Section 622.134(d) to carry or present the copy of the bond filed with the department. An offense under this section is a misdemeanor punishable by a fine not to exceed \$200.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.136(a), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 436, Sec. 1, eff. July 15, 1997. Amended by Acts 2001, 77th Leg., ch. 942, Sec. 6, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 1276, Sec. 16.004, eff. Sept. 1, 2003.

Sec. 622.137. DEFENSE TO PROSECUTION: BOND IN EFFECT. (a) It is a defense to prosecution under Section 622.136 that the person charged produces a surety bond that complies with Section 622.134 that was valid at the time the offense is alleged to have occurred.

(b) If the court verifies the bond produced by the person, the court shall dismiss the charge.

Added by Acts 2001, 77th Leg., ch. 942, Sec. 7, eff. Sept. 1, 2001.

SUBCHAPTER Y. MISCELLANEOUS SIZE EXCEPTIONS

Sec. 622.901. WIDTH EXCEPTIONS. The width limitation provided by Section 621.201 does not apply to:

(1) highway building or maintenance machinery that is traveling:

(A) during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or

(B) for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;

(2) a vehicle traveling during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways or traveling for not more than 50 miles on a highway that is part of the national system of interstate and defense highways if the vehicle is:

(A) a farm tractor or implement of husbandry; or

(B) a vehicle on which a farm tractor or implement of husbandry, other than a tractor or implement being transported from one dealer to another, is being moved by the owner of the tractor or implement or by an agent or employee of the owner:

(i) to deliver the tractor or implement to a new owner;

(ii) to transport the tractor or implement to or from a mechanic for maintenance or repair; or

(iii) in the course of an agricultural operation;

(3) machinery that is used solely for drilling water wells, including machinery that is a unit or a unit mounted on a conventional vehicle or chassis, and that is traveling:

(A) during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or

(B) for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;

(4) a vehicle owned or operated by a public, private, or volunteer fire department;

(5) a vehicle registered under Section 502.164; or

(6) a recreational vehicle to which Section 622.903 applies.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2003, 78th Leg., ch. 491, Sec. 1, eff. Sept. 1, 2003.

Sec. 622.902. LENGTH EXCEPTIONS. The length limitations provided by Sections 621.203 to 621.205 do not apply to:

(1) machinery used exclusively for drilling water wells, including machinery that is itself a unit or that is a unit mounted on a conventional vehicle or chassis;

(2) a vehicle owned or operated by a public, private, or volunteer fire department;

(3) a vehicle or combination of vehicles operated exclusively in the territory of a municipality or to a combination of vehicles operated by a municipality in a suburb adjoining the municipality in which the municipality has been using the equipment or similar equipment in connection with an established service to the suburb;

(4) a truck-tractor, truck-tractor combination, or truck-trailer combination exclusively transporting machinery, materials, and equipment used in the construction, operation, and maintenance of facilities, including pipelines, that are used for the discovery, production, and processing of natural gas or petroleum;

(5) a drive-away saddlemount vehicle transporter combination or a drive-away saddlemount with fullmount vehicle transporter combination, as defined by 23 C.F.R. Part 658 or its successor, if:

(A) the overall length of the combination is not longer than 75 feet; and

(B) the combination does not have more than three saddlemounted vehicles if the combination does not include more than one fullmount vehicle;

(6) the combination of a tow truck and another vehicle or vehicle combination if:

(A) the other vehicle or vehicle combination cannot be normally or safely driven or was abandoned on a highway; and

(B) the tow truck is towing the other vehicle or vehicle combination directly to the nearest authorized place of repair, terminal, or destination of unloading; or

(7) a vehicle or combination of vehicles used to transport a combine that is used in farm custom harvesting operations on a farm if the overall length of the vehicle or combination is not longer than 75 feet.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 30.137(a), eff. Sept. 1,

1997; Acts 1997, 75th Leg., ch. 1144, Sec. 1, eff. June 19, 1997.

Sec. 622.903. WIDTH LIMITATION ON CERTAIN RECREATIONAL VEHICLES. (a) In this section:

(1) "Appurtenance" includes an awning, a grab handle, lighting equipment, or a vent. The term does not include a load-carrying device.

(2) "Recreational vehicle" has the meaning assigned by Section 522.004.

(b) A recreational vehicle may exceed a width limitation established by Section 621.201 or 621.202 if the excess width is attributable to an appurtenance that extends six inches or less beyond a fender on one or both sides of the vehicle.

Added by Acts 2003, 78th Leg., ch. 491, Sec. 1, eff. Sept. 1, 2003.

SUBCHAPTER Z. MISCELLANEOUS WEIGHT EXCEPTIONS

Sec. 622.952. FIRE DEPARTMENT VEHICLE. (a) The weight limitations of Section 621.101 do not apply to a vehicle owned or operated by a public, private, or volunteer fire department.

(b) The weight of a fire department's vehicle may not be heavier than the manufacturer's gross vehicle weight capacity or axle design rating.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 622.953. VEHICLE TRANSPORTING SEED COTTON OR CHILE PEPPER MODULES. (a) The weight limitations of Section 621.101 do not apply to a single motor vehicle used exclusively to transport chile pepper modules, seed cotton, or equipment, including a motor vehicle, used to transport or process chile pepper modules or seed cotton.

(b) The overall gross weight of a single motor vehicle used to transport seed cotton or equipment used to transport or process seed cotton may not be heavier than 59,400 pounds.

(c) The overall gross weight of a single motor vehicle used to transport chile pepper modules or equipment used to transport or process chile pepper modules may not be heavier than 54,000 pounds.

(d) The owner of a single motor vehicle to which this section applies that has a gross weight above the gross weight authorized by this section that is applicable to the vehicle is liable to the state, county, or municipality for any damage to a highway, street, road, or bridge caused by the weight of the load.

(e) A vehicle to which this section applies may not be operated on the national system of interstate and defense highways if the vehicle exceeds the maximum weight authorized by 23 U.S.C. Section 127, as amended.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 941, Sec. 41, eff. Sept. 1, 2001; Acts 2005, 79th Leg., ch. 247, Sec. 4, eff. Sept. 1, 2005.

Sec. 622.954. TOW TRUCKS. (a) A permit is not required to exceed the weight limitations of Section 621.101 by a combination of a tow truck and another vehicle or vehicle combination if:

(1) the nature of the service provided by the tow truck is needed to remove disabled, abandoned, or accident-damaged vehicles; and

(2) the tow truck is towing the other vehicle or vehicle combination directly to the nearest authorized place of repair, terminal, or vehicle storage facility.

(b) This section does not authorize the operation on the national system of interstate and defense highways in this state of vehicles with a weight greater than authorized by federal law.

Added by Acts 2001, 77th Leg., ch. 135, Sec. 1, eff. May 16, 2001.