

TRANSPORTATION CODE

CHAPTER 648. FOREIGN COMMERCIAL MOTOR TRANSPORTATION
SUBCHAPTER A. GENERAL PROVISIONS

Sec. 648.001. DEFINITIONS. In this chapter:

(1) "Border" means the border between this state and the United Mexican States.

(2) "Border commercial zone" means a commercial zone established under 49 C.F.R. Part 372, Subpart B, any portion of which is contiguous to the border in this state.

(3) "Commercial motor vehicle" includes a foreign commercial motor vehicle.

(4) "Foreign commercial motor vehicle" means a commercial motor vehicle, as defined by 49 C.F.R. Section 390.5, that is owned or controlled by a person or entity that is domiciled in or a citizen of a country other than the United States.

(5) "Motor carrier" includes a foreign motor carrier and a foreign motor private carrier, as defined in 49 U.S.C. Sections 13102(6) and (7).

Added by Acts 1999, 76th Leg., ch. 62, Sec. 17.35(a), eff. Sept. 1, 1999.

Sec. 648.002. RULES. In addition to rules required by this chapter, the Texas Department of Transportation, the Department of Public Safety, and the Texas Department of Insurance may adopt other rules to carry out this chapter.

Added by Acts 1999, 76th Leg., ch. 62, Sec. 17.35(a), eff. Sept. 1, 1999.

Sec. 648.003. REFERENCE TO FEDERAL STATUTE OR REGULATION. A reference in this chapter to a federal statute or regulation includes any subsequent amendment or redesignation of the statute or regulation.

Added by Acts 1999, 76th Leg., ch. 62, Sec. 17.35(a), eff. Sept. 1, 1999.

SUBCHAPTER B. BORDER COMMERCIAL ZONE

Sec. 648.051. BORDER COMMERCIAL ZONE EXCLUSIVE; BOUNDARIES. (a) A law or agreement of less than statewide application that is adopted by an agency or political subdivision of this state and that regulates motor carriers or commercial motor vehicles or the operation of those carriers or vehicles in the transportation of cargo across the border or within an area adjacent to the border by foreign commercial motor vehicles has no effect unless the law or agreement applies uniformly to an entire border commercial zone and only in a border commercial zone.

(b) This subchapter supersedes that portion of any paired city, paired state, or similar understanding governing foreign commercial motor vehicles or motor carriers entered into under Section 502.054 or any other law.

Added by Acts 1999, 76th Leg., ch. 62, Sec. 17.35(a), eff. Sept. 1, 1999.

Sec. 648.052. MODIFICATION OF ZONE BOUNDARIES. The boundaries of a border commercial zone may be modified or established only as provided by federal law.

Added by Acts 1999, 76th Leg., ch. 62, Sec. 17.35(a), eff. Sept. 1, 1999.

SUBCHAPTER C. REGULATION OF OPERATION OF FOREIGN COMMERCIAL MOTOR VEHICLES

Sec. 648.101. REGISTRATION EXEMPTION IN BORDER COMMERCIAL ZONE. (a) A foreign commercial motor vehicle is exempt from Chapter 502 and any other law of this state requiring the vehicle to be registered in this state, including a law providing for a temporary registration permit, if:

(1) the vehicle is engaged solely in transportation of cargo across the border into or from a border commercial zone;

(2) for each load of cargo transported the vehicle remains in this state:

(A) not more than 24 hours; or

(B) not more than 48 hours, if:

(i) the vehicle is unable to leave this state within 24 hours because of circumstances beyond the control of the motor carrier operating the vehicle; and

(ii) all financial responsibility requirements applying to the vehicle are satisfied;

(3) the vehicle is registered and licensed as required by the law of another state or country as evidenced by a valid metal license plate attached to the front or rear of the exterior of the vehicle; and

(4) the country in which the person that owns or controls the vehicle is domiciled or is a citizen provides a reciprocal exemption for commercial motor vehicles owned or controlled by residents of this state.

(b) A foreign commercial motor vehicle operating under the exemption provided by this section and the vehicle's driver may be considered unregistered if the vehicle is operated in this state outside a border commercial zone or in violation of United States law.

Added by Acts 1999, 76th Leg., ch. 62, Sec. 17.35(a), eff. Sept. 1, 1999.

Sec. 648.102. FINANCIAL RESPONSIBILITY. (a) The Texas Department of Transportation shall adopt rules that conform with 49 C.F.R. Part 387 requiring motor carriers operating foreign commercial motor vehicles in this state to maintain financial responsibility.

(b) This chapter prevails over any other requirement of state law relating to financial responsibility for operation of foreign commercial motor vehicles in this state.

Added by Acts 1999, 76th Leg., ch. 62, Sec. 17.35(a), eff. Sept. 1, 1999.

Sec. 648.103. DOMESTIC TRANSPORTATION. A foreign motor carrier or foreign motor private carrier may not transport persons or cargo in intrastate commerce in this state unless the carrier is authorized to conduct operations in interstate and foreign commerce domestically between points in the United States under federal law or international agreement.

Added by Acts 1999, 76th Leg., ch. 62, Sec. 17.35(a), eff. Sept. 1, 1999.