

CHAPTER 879

H.B. No. 1232

AN ACT

relating to the height of auto transporters operated on public roads.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 3(b), Chapter 42, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6701d-11, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) No vehicle unladen or with load shall exceed a height of thirteen feet six inches (13'6") including load, *except that a combination of vehicles designed for the sole purpose of transporting other motor vehicles and used exclusively for that purpose may be of any height that does not exceed fourteen feet (14')*; provided, however, it shall be unlawful to operate or attempt to operate any vehicle over or on any bridge or through any underpass or similar structure unless the height of such vehicle, including load, is less than the vertical clearance of such structure as shown by the records of the Department. *It is the responsibility of the operator of a vehicle that exceeds a height of thirteen feet six inches (13'6") to ensure that the vehicle will pass without touching through all vertical clearances of structures in its path.* In every case or proceeding, civil and criminal, in which a violation of this Act may be an issue, a certificate signed by the State Highway Engineer as to such vertical clearance shall be admissible in evidence for all purposes. *Any damage to a bridge, underpass, or similar structure that is caused by the height of a vehicle is the responsibility of the owner of the vehicle.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 29, 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1232 on May 20, 1987, by the following vote: Yeas 140, Nays 1, 1 present, not voting. Passed by the Senate, with amendments, on May 18, 1987, by the following vote: Yeas 29, Nays 0.

Approved June 19, 1987.

Effective June 19, 1987.