

PROPOSAL OF REVISIONS TO

SUBCHAPTER A. GENERAL PROVISIONS

§219.3

SUBCHAPTER B. GENERAL PERMITS

§§219.11, 219.12, AND 219.15

INTRODUCTION. The Texas Department of Motor Vehicles (department) proposes amendments to 43 Texas Administrative Code (TAC) Subchapter A, General Provisions, §219.3; and Subchapter B, General Permits, §§219.11, 219.12, and 219.15, concerning modernization of bond certification, and updates and clean-up for general, single-trip, and portable building unit permits. The proposed amendments are necessary to update department rules on electronic bond filing and certification, as well as to modernize the rules for permits to align with current statute and practice, to delete unnecessary language, and to improve readability.

EXPLANATION.

§219.3

Currently, §219.3(b)(2) requires that surety bonds for vehicles transporting recycled materials or solid waste expire at the end of each state fiscal year. A proposed amendment to §219.3(b) would delete §219.3(b)(2) and add new §219.3(b)(1)(D) and (E) to allow more flexibility, requiring only that the surety bonds are valid and effective during the time period when the applicant for the bond certification is transporting recycled materials or solid waste, regardless of when that period falls with respect to the end of the state fiscal year. Current §219.3(b)(3) is proposed to be renumbered to accommodate the deletion of §219.3(b)(2).

1 Proposed amendments to proposed renumbered §§219.3(b)(2), 219.3(c), and §219.3(d) would
2 modernize the rules by allowing for electronic document transfer between the department and applicants
3 for surety bond certification. Proposed renumbered §219.3(b)(2) and §219.3(d)(4) would be updated to
4 provide that the bond holder must carry in the cab of the bonded vehicle a copy of the bond, bond
5 certification form, and a copy of any bond amendments and bond amendment forms, that have been filed
6 with and certified by the department. This clarification aligns these rules with the statutory requirement
7 under Transportation Code, §622.134(d) and §623.163(d) that a copy of the bond must be carried in the
8 vehicle, eliminates the inconvenience and risk of having to carry the original documents, and provides an
9 immediate mechanism for law enforcement to determine that the bond or bond amendment has been
10 certified by the department.

11 Proposed amendments to §219.3(c)(1) would modernize the rule to allow electronic submission
12 by removing a requirement that a bond certificate be completed in duplicate, because duplicate copies
13 are unnecessary in electronic transmission. Proposed amendments to §219.3(c)(2) and §219.3(d)(2)
14 would clarify that the department will review a bond or bond amendment prior to certification to
15 determine that it meets requirements. Additional proposed amendments to §219.3(c)(2) and §219.3(d)(2)
16 would modernize the rules to accommodate electronic document transfers by allowing the department
17 flexibility to return either an electronic or hard copy of a bond certificate form or bond amendment form
18 to the applicant. The current rules reference a single copy being returned and imply that the certificate is
19 returned as a physical copy, which would no longer be the case with electronic document transmission.
20 However, the rules would retain flexibility to allow for paper transmission in the unlikely event an
21 electronic copy could not be transmitted.

22 Proposed amendments to §219.3(e) would modernize the rule to allow electronic document
23 transfers. The proposed amendments would delete language requiring original copies of bond documents,

1 and would instead allow bond holders to submit bonds and bond amendments to the department
2 electronically, and allow the department to return electronic copies of certified forms for those bonds and
3 amendments. The proposed amendments would add language clarifying that electronic copies of bond
4 documents would be valid to the same extent as hard copies.

5
6 §219.11

7 A proposed amendment to §219.11(l)(2)(A) would remove outdated language related to an
8 expiration date for holiday restrictions on permits. The Texas Department of Transportation has adopted
9 a rule in 43 TAC §28.4, imposing dimension limits for permits issued on holidays effective February 19,
10 2025. Thus, the restrictions are now indefinitely in effect. The proposed amendment would update the
11 rule accordingly.

12 Proposed amendments to §219.11(n) would align the provision with proposed changes in §219.3
13 related to the effective date and electronic transmission of bonds. Currently, §219.11(n)(1)(C) provides
14 that surety bonds expire at the end of each state fiscal year for the vehicles required to obtain such bonds
15 under Transportation Code, §623.075. A proposed amendment would delete §219.11(n)(1)(C) and add
16 new §219.11(n)(1)(C) and (D) to allow more flexibility, requiring only that the surety bonds are valid and
17 effective during the time period when the applicant for the bond certification is operating under the
18 permit authorized in the section, regardless of when that period falls with respect to the end of the state
19 fiscal year. The remaining subsections would be relettered to accommodate the addition of
20 §219.11(n)(1)(C) and (D).

21
22 §219.12

1 Proposed amendments to §219.12(a) would clarify the timeframe in which movement is
2 authorized under a single-trip permit. Single-trip permits are currently issued for a five-day period as this
3 is generally a reasonable time frame for a single, continuous movement and offers some flexibility while
4 remaining consistent with the concept of a single trip. However, the time frame may be extended with
5 department approval for an additional five days if the movement is delayed--for example, if the load to
6 be transported is not delivered when anticipated. Accordingly, the proposed amendment would update
7 the rule to clarify current practice. A proposed amendment to §219.12(b)(4) would strike an outdated
8 reference to exemption from the vehicle supervision fee for the holder of a fixed price public works
9 contract that was entered into prior to February 21, 1999. The rule authorizing an exemption from the
10 fee is no longer needed as there should be no remaining fixed price public works contracts to which the
11 exemption would apply. The remaining subsections would be renumbered based on the proposed
12 deletion of §219.12(b)(4).

13
14 §219.15

15 Proposed amendments to §219.15(a) would repeal rule language that is unnecessarily duplicative
16 of statutory language in Transportation Code, Chapter 623, Subchapter F, and instead refer directly to the
17 statute. A proposed amendment to §219.15(d) would replace language indicating that no fees are
18 refundable with language that would allow the department flexibility to issue a refund if it is necessary to
19 correct an error made by a permit officer of the department.

20 Several amendments are proposed to §219.15(e). Proposed amendments to §219.15(e)(2) would
21 align the rule with Transportation Code §623.121(b), which allows for a permit load of over 80 feet in
22 length only in truck-tractor or truck-tractor combination vehicle configurations, which are exempted by
23 Transportation Code, §623.121(b). Other proposed amendments to §219.15(e) would delete

§219.15(e)(5) and (e)(6) because the language is duplicative of statute, and would delete §219.15(e)(7) because the language is outdated and refers to a process for voiding permits that is no longer in use.

FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT. Chris Hayden, Chief Financial Officer, has determined that for each year of the first five years the amendments will be in effect, there will be no fiscal impact to state or local governments as a result of the enforcement or administration of the proposal. Clint Thompson, Director of the Motor Carrier Division, has determined that there will be no measurable effect on local employment or the local economy as a result of the proposal.

PUBLIC BENEFIT AND COST NOTE. Mr. Thompson has also determined that, for each year of the first five years the amended section is in effect, there are several public benefits. Proposed amendments that would allow for electronic document processing would make the department more efficient in issuing bond certifications and permits, which would in turn create time savings and efficiencies for motor carriers and, in turn, members of the public served by motor carriers. In addition, the public would benefit from the improved clarity and readability of the department's rules, improved by removing language that is redundant with statute and outdated language, and by updating language to reflect current agency processes.

Anticipated Costs To Comply with the Proposal. Mr. Thompson anticipates that there will be no costs to comply with these rules. The proposed changes would simplify processes and clarify language for surety bond holders as well as permit applicants and holders.

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS. As required by the Government Code, §2006.002, the department has determined that the proposed amendments will not have an adverse economic effect on small businesses, micro-businesses, and rural communities because there are not costs anticipated to comply with the proposal, so there would be no particular impact to

1 small businesses, micro-businesses, or rural communities. Therefore, the department is not required to
2 prepare a regulatory flexibility analysis under Government Code, §2006.002.

3 **TAKINGS IMPACT ASSESSMENT.** The department has determined that no private real property interests
4 are affected by this proposal and that this proposal does not restrict or limit an owner's right to property
5 that would otherwise exist in the absence of government action and, therefore, does not constitute a
6 taking or require a takings impact assessment under the Government Code, §2007.043.

7 **GOVERNMENT GROWTH IMPACT STATEMENT.** The department has determined that each year of the
8 first five years the proposed amendments are in effect, no government program would be created or
9 eliminated. Implementation of the proposed amendments would not require the creation of new
10 employee positions or elimination of existing employee positions. Implementation would not require an
11 increase or decrease in future legislative appropriations to the department or an increase or decrease of
12 fees paid to the department. The proposed amendments do not create a new regulation. The proposed
13 amendments slightly expand current regulation by clarifying the documentation that must be carried in
14 the vehicle to demonstrate department certification of a bond or amendment. The proposed
15 amendments limit an existing regulation by allowing for electronic completion of existing requirements
16 for bond filing and certification as well as increased flexibility in the time period during which the bonds
17 must be valid and effective. In addition, the proposed amendments repeal portions of several existing
18 regulations that are unnecessary, duplicative of statute, or in need of modernization. Lastly, the proposed
19 amendments do not affect the number of individuals subject to the rule's applicability and will not affect
20 this state's economy.

21 **REQUEST FOR PUBLIC COMMENT.**

22 If you want to comment on the proposal, submit your written comments by 5:00 p.m. CDT on September
23 28, 2026. The department requests information related to the cost, benefit, or effect of the proposed rule,

1 including any applicable data, research, or analysis, from any person required to comply with the
2 proposed rule or any other interested person. A request for a public hearing must be sent separately from
3 your written comments. Send written comments or hearing requests by email to rules@txdmv.gov or by
4 mail to Office of General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue, Austin,
5 Texas 78731. If a hearing is held, the department will consider written comments and public testimony
6 presented at the hearing.

7
8 **SUBCHAPTER A. GENERAL PROVISIONS**

9
10 **STATUTORY AUTHORITY.** The Texas Department of Motor Vehicles (department) proposes amendments
11 under Transportation Code, §621.008, which authorizes the board to adopt rules that are necessary to
12 implement and enforce Transportation Code, Chapter 621; Transportation Code, §622.002, which
13 authorizes the board to adopt rules that are necessary to implement and enforce Transportation Code,
14 Chapter 622; Transportation Code, §622.134, which outlines requirements for a surety bond for certain
15 vehicles transporting recyclable materials; Transportation Code, §623.002, which authorizes the board to
16 adopt rules as necessary to implement Transportation Code, Chapter 623; Transportation Code, §623.163,
17 which outlines requirements for a surety bond for certain vehicles transporting solid waste;
18 Transportation Code, §1002.001, which authorizes the board to adopt rules that are necessary and
19 appropriate to implement the powers and the duties of the department; and Government Code,
20 §2001.004, which requires state agencies to adopt rules of practice stating the nature and requirements
21 of all available formal and informal procedures; and the statutory authority referenced throughout the
22 preamble and in the rule text.

CROSS REFERENCE TO STATUTE. The proposed amendments would implement Transportation Code, Chapters 621, 622, and 623; and Government Code, Chapter 2001.

TEXT.

§219.3. Surety Bonds for Vehicles Transporting Recyclable Materials or Solid Waste.

(a) Surety bond required. A surety bond is required for:

(1) vehicles used exclusively to transport recyclable materials operated under the provisions of Transportation Code, §622.134; and

(2) vehicles used exclusively to transport solid waste under the provisions of Transportation Code, §623.163.

(b) Surety bonds.

(1) Surety bonds filed under this section must:

(A) be in the amount of \$1,000 per vehicle;

(B) indicate the total amount of coverage; ~~and~~

(C) be filed on a form and in a manner prescribed by the department; ~~[-]~~

(D) indicate the effective date and expiration date; and

(E) remain valid and in effect while the vehicle is operating as specified in subsection (a).

~~[(2) A surety bond is effective the day it is issued and expires at the end of the state fiscal year.]~~

(2) [(3)] A copy of the [The original] bond and certificate form, filed with and certified by the department, must be carried in the cab of the bonded vehicle.

(c) Bond certification.

(1) For each vehicle, a bond certificate must:

(A) be on a form prescribed by the department; and

(B) be completed ~~[in duplicate]~~ and submitted to the department in a manner prescribed by the department for certification.

(2) The department will review the bond to determine whether it meets the requirements of this section and, if so, certify and return an electronic or hard ~~[one]~~ copy of the bond certificate form to the principal.

(d) Bond amendment.

(1) A bond amendment form must be submitted to the department to add or delete a vehicle covered by a certified surety bond. A bond amendment must be completed ~~[in duplicate]~~ on a form and in a manner prescribed by the department.

(2) The department will review the bond amendment to determine whether it meets the requirements of this section and, if so, certify and return to the principal an ~~[one]~~ electronic or hard copy of the bond amendment form when a new vehicle is added to the surety bond.

(3) When a vehicle is removed from the surety bond, the department will make the necessary revision to the principal's file.

(4) A copy of the ~~[The]~~ certified bond amendment and amendment form must be carried in the cab of the bonded vehicle.

(e) Acceptable bond documents. The department may accept an electronic copy of a surety bond or bond amendment in lieu of an original. In addition, the department may allow the electronic filing of a bond certificate form or bond amendment form. An electronically transmitted copy of a bond certificate, bond amendment, or an approved bond certificate or amendment form is valid to the same extent as a hard copy version of the document. ~~[An electronic copy or facsimile copy of a surety bond~~

1 ~~form, bond certification form, or bond amendment form is not acceptable in lieu of the original surety~~
2 ~~bond.]~~

4 **SUBCHAPTER B. GENERAL PERMITS**

6 **STATUTORY AUTHORITY.** The department proposes amendments under Transportation Code, §621.008,
7 which authorizes the board to adopt rules that are necessary to implement and enforce Transportation
8 Code, Chapter 621; Transportation Code, §622.002, which authorizes the board to adopt rules that are
9 necessary to implement and enforce Transportation Code, Chapter 622; Transportation Code, §623.002,
10 which authorizes the board to adopt rules as necessary to implement Transportation Code, Chapter 623;
11 Transportation Code, §623.071, which authorizes the department to issue a permit to an applicant to
12 move certain equipment or commodities; Transportation Code, §623.075, which requires a surety bond
13 for certain permit applicants not subject to intrastate registration authority under Transportation Code,
14 Chapter 643; Transportation Code §623.078, which requires a vehicle supervision fee in specific instances;
15 Transportation Code, §623.121, which authorizes the department to issue permits to move portable
16 building units; Transportation Code, § 623.127, which lists the duration of a portable building unit permit;
17 Transportation Code, §623.128, which restricts movement authorized by a portable building unit permit
18 to daytime hours; Transportation Code, §1002.001, which authorizes the board to adopt rules that are
19 necessary and appropriate to implement the powers and the duties of the department; Government
20 Code, §2001.004, which requires state agencies to adopt rules of practice stating the nature and
21 requirements of all available formal and informal procedures; and the statutory authority referenced
22 throughout the preamble and in the rule text.

CROSS REFERENCE TO STATUTE. The proposed amendments would implement Transportation Code, Chapters 621, 622, and 623; and Government Code, Chapter 2001.

TEXT.

§219.11. General Oversize/Overweight Permit Requirements and Procedures.

(a) Purpose and scope. This section contains general requirements relating to oversize/overweight permits, including single-trip permits. Specific requirements for each type of specialty permit are provided for in this chapter.

(b) Motor carrier registration or surety bond. Unless exempted by law, prior to obtaining an oversize/overweight permit, an applicant permitted under the provisions of Transportation Code, Chapter 623, Subchapter D, must be registered as a motor carrier under Chapter 218 of this title (relating to Motor Carriers) or, if not required to obtain a motor carrier registration, file a surety bond with the department as described in subsection (n) of this section.

(c) Permit application.

(1) An application for a permit shall be made in a form and by the method prescribed by the department, and at a minimum shall include the following, unless stated otherwise in this subchapter:

(A) name, customer identification number, and address of the applicant;

(B) name, telephone number, and email address of contact person;

(C) applicant's USDOT Number if applicant is required by law to have a USDOT Number;

(D) complete load description, including maximum width, height, length, overhang, and gross weight;

(E) complete description of vehicle, including truck year, make, license plate number and state of issuance, and vehicle identification number, if required;

(F) vehicle axle and tire information including number of axles, distance between axles, axle weights, number of tires, and tire size for overweight permit applications; and

(G) any other information required by law.

(2) Applications transmitted electronically are considered signed if a digital signature is transmitted with the application and intended by the applicant to authenticate the application.

(A) The department may only accept a digital signature used to authenticate an application under procedures that comply with any applicable rules adopted by the Department of Information Resources regarding department use or acceptance of a digital signature.

(B) The department may only accept a digital signature to authenticate an application if the digital signature is:

- (i) unique to the person using it;
- (ii) capable of independent verification;
- (iii) under the sole control of the person using it; and
- (iv) transmitted in a manner that will make it infeasible to change the data in the communication or digital signature without invalidating the digital signature.

(d) Maximum permit weight limits.

(1) General. An overweight permitted vehicle will not be routed over a load-restricted bridge when exceeding the posted capacity of the bridge, unless a special exception is granted by TxDOT, based on an analysis of the bridge performed by a TxDOT approved licensed professional engineer or by TxDOT. Any analysis by a non-TxDOT licensed professional engineer must have final approval from TxDOT.

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

4 (B) The maximum permit weight for an axle group with spacing of five or more
5 feet between each axle will be based on an engineering study of the equipment conducted by TxDOT.

6 (C) A permitted vehicle will be allowed to have air suspension, hydraulic
7 suspension, and mechanical suspension axles in a common weight equalizing suspension system for any
8 axle group.

9 (D) The department may permit axle weights greater than those specified in this
10 section, for a specific individual permit request, based on an engineering study of the route and hauling
11 equipment performed by a TxDOT approved licensed professional engineer or by TxDOT. Any analysis by
12 a non-TxDOT licensed professional engineer must have final approval from TxDOT.

13 (E) A permitted vehicle or combination of vehicles may not exceed the
14 manufacturer's rated tire carrying capacity, unless expressly authorized in the language on the permit
15 based on an analysis performed by a TxDOT approved licensed professional engineer or by TxDOT. Any
16 analysis by a non-TxDOT licensed professional engineer must have final approval from TxDOT.

17 (F) If two or more consecutive axle groups have an axle spacing of less than 12
18 feet, measured from the center of the last axle of the preceding group to the center of the first axle of
19 the following group, the maximum permit weight on the axle groups will be reduced by 2.5% for each
20 foot less than 12 feet.

21 (2) Maximum axle weight limits. Maximum permit weight for an axle or axle group is
22 based on 650 pounds per inch of tire width or the following axle or axle group weights, whichever is the
23 lesser amount:

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

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

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

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

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

(F) axle group with six or more axles--determined by TxDOT based on an engineering study of the equipment, which will include the type of steering system used, the type of axle suspension, the spacing distance between each axle, the number of tires per axle, and the tire size on each axle; or

(G) trunnion axles--30,000 pounds per axle if the trunnion configuration has:

(i) two axles;

(ii) eight tires per axle;

(iii) axles a minimum of 10 feet in width; and

(iv) at least five feet of spacing between the axles, not to exceed six feet.

(3) Weight limits for load restricted roads. Maximum permit weight for an axle or axle group, when traveling on a load restricted road, will be based on 650 pounds per inch of tire width or the following axle or axle group weights, whichever is the lesser amount:

(A) single axle--22,500 pounds;

(B) two-axle group--41,400 pounds;

(C) three-axle group--54,000 pounds;

(D) four-axle group--63,000 pounds;

(E) five-axle group--73,260 pounds;

(F) axle group with six or more axles--determined by TxDOT based on an engineering study of the equipment, which will include the type of steering system used, the type of axle suspension, the spacing distance between each axle, the number of tires per axle, and the tire size on each axle;

(G) trunnion axles--54,000 pounds; and

(H) if two or more consecutive axle groups have an axle spacing of less than 12 feet, measured from the center of the last axle of the preceding group to the center of the first axle of the following group, the maximum permit weight on the axle groups will be reduced by 2.5% for each foot less than 12 feet.

(e) Permit issuance.

(1) General. Upon receiving an application in the form prescribed by the department, the department will review the permit application for the appropriate information and will then determine the most practical route based on information provided by TxDOT.

(2) Routing.

(A) A permitted vehicle will be routed over the most practical route available taking into consideration:

(i) the size and weight of the overdimension load in relation to vertical clearances, width restrictions, steep grades, and reduced capacity or load restricted bridges;

(ii) the geometrics of the roadway in comparison to the overdimension load;

(iii) sections of highways restricted to specific load sizes and weights due to construction, maintenance, and hazardous conditions;

(iv) traffic conditions, including traffic volume;

(v) route designations by municipalities in accordance with
Transportation Code, §623.072;
(vi) load restricted roads; and
(vii) other considerations for the safe transportation of the load.

(B) When a permit applicant desires a route other than the most practical, more than one permit will be required for the trip unless an exception is granted by the department.

(3) Movement to and from point of origin or place of business. A permitted vehicle will be allowed to:

(A) move empty oversize and overweight hauling equipment to and from the job site; and

(B) move oversize and overweight hauling equipment with a load from the permitted vehicle's point of origin to pick up a permitted load, and to the permitted vehicle's point of origin or the permittee's place of business after dropping off a permitted load, as long as:

(i) the load does not exceed legal size and weight limits under
Transportation Code, Chapters 621 and 622; and

(ii) the transport complies with the permit, including the time period stated on the permit.

(f) Refund of permit fees. A permit fee will not be refunded after the permit number has been issued unless such refund is necessary to correct an error made by the permit officer.

(g) Amendments. A permit may be amended for the following reasons:

(1) vehicle breakdown;

(2) changing the intermediate points in an approved permit route;

(3) extending the expiration date due to conditions which would cause the move to be delayed;

(4) changing route origin or route destination prior to the start date as listed on the permit;

(5) changing vehicle size limits prior to the permit start date as listed on the permit, provided that changing the vehicle size limit does not necessitate a change in the approved route; and

(6) correcting any mistake that is made due to permit officer error.

(h) Requirements for overwidth loads.

(1) Unless stated otherwise on the permit, an overwidth load must travel in the outside traffic lane on multi-lane highways, when the width of the load exceeds 12 feet.

(2) Overwidth loads are subject to the escort requirements of subsection (k) of this section.

(3) A permitted vehicle exceeding 16 feet in width will not be routed on the main lanes of a controlled access highway, unless an exception is granted by TxDOT, based on a route and traffic study. The load may be permitted on the frontage roads when available, if the movement will not pose a safety hazard to other highway users.

(4) An applicant requesting a permit to move a load exceeding 20 feet wide will be furnished with a proposed route. The applicant must physically inspect the proposed route to determine if the vehicle and load can safely negotiate it, unless an exception is granted based on a route and traffic study conducted by TxDOT. A permit application and the appropriate fee are required for every route inspection.

(A) The applicant must notify the department in writing whether the vehicle and load can or cannot safely negotiate the proposed route.

(B) If any section of the proposed route is unacceptable, the applicant shall provide the department with an alternate route around the unacceptable section.

(C) Once a route is decided upon and a permit issued, the permit may not be amended unless an exception is granted by the department.

(i) Requirements for overlength loads.

(1) Overlength loads are subject to the escort requirements stated in subsection (k) of this section.

(2) A single vehicle, such as a motor crane, that has a permanently mounted boom is not considered as having either front or rear overhang as a result of the boom because the boom is an integral part of the vehicle.

(3) When a single vehicle with a permanently attached boom exceeds the maximum legal length of 45 feet, a permit will not be issued if the boom projects more than 25 feet beyond the front bumper of the vehicle, or when the boom projects more than 30 feet beyond the rear bumper of the vehicle, unless an exception is granted by TxDOT, based on a route and traffic study.

(4) Maximum permit length for a single vehicle is 75 feet.

(5) A load extending more than 20 feet beyond the front or rearmost portion of the load carrying surface of the permitted vehicle must have a rear escort flag vehicle, unless an exception is granted by TxDOT, based on a route and traffic study.

(6) A permit will not be issued for an oversize vehicle and load with:

(A) more than 25 feet front overhang; or

(B) more than 30 feet rear overhang, unless an exception is granted by TxDOT, based on a route and traffic study.

(7) An applicant requesting a permit to move an oversize vehicle and load exceeding 125 feet overall length will be furnished with a proposed route. The applicant must physically inspect the proposed route to determine if the oversize vehicle and load can safely negotiate it, unless an exception is granted based on a route and traffic study conducted by TxDOT. A permit application and the appropriate fee are required for every route inspection.

(A) The applicant must notify the department in writing whether the oversize vehicle and load can or cannot safely negotiate the proposed route.

(B) If any section of the proposed route is unacceptable, the applicant shall provide the department with an alternate route around the unacceptable section.

(C) Once a route is decided upon and a permit issued, the permit may not be amended unless an exception is granted by the department.

(8) A permitted vehicle that is not overwidth or overheight, and does not exceed 150 feet overall length, may be moved in a convoy consisting of not more than four overlength permitted vehicles. A permitted vehicle that is not overwidth or overheight that exceeds 150 feet, but does not exceed 180 feet overall length, may be moved in a convoy consisting of not more than two overlength permitted vehicles. Convoys are subject to the requirements of subsection (k) of this section. Each permitted vehicle in the convoy must:

(A) be spaced at least 1,000 feet, but not more than 2,000 feet, from any other permitted vehicle in the convoy; and

(B) have a rotating amber beacon or an amber pulsating light, not less than eight inches in diameter, mounted at the rear top of the load being transported.

(j) Requirements for overheight loads.

1 (1) Overheight loads are subject to the escort requirements stated in subsection (k) of
2 this section.

3 (2) An applicant requesting a permit to move an oversize vehicle and load with an
4 overall height of 19 feet or greater will be furnished with a proposed route. The applicant must
5 physically inspect the proposed route to determine if the oversize vehicle and load can safely negotiate
6 it, unless an exception is granted based on a route and traffic study conducted by TxDOT. A permit
7 application and the appropriate fee are required for every route inspection.

8 (A) The applicant must notify the department in writing whether the oversize
9 vehicle and load can or cannot safely negotiate the proposed route.

10 (B) If any section of the proposed route is unacceptable, the applicant shall
11 provide the department with an alternate route around the unacceptable section.

12 (C) Once a route is decided upon and a permit issued, the permit may not be
13 amended unless an exception is granted by the department.

14 (k) Escort flag vehicle requirements. Escort flag vehicle requirements are provided to facilitate
15 the safe movement of permitted vehicles and to protect the traveling public during the movement of
16 permitted vehicles. A permittee must provide for escort flag vehicles and law enforcement assistance
17 when required by TxDOT. The requirements in this subsection do not apply to the movement of
18 manufactured housing, portable building units, or portable building compatible cargo, unless stated
19 otherwise in this chapter.

20 (1) General.

21 (A) Applicability. The operator of an escort flag vehicle shall, consistent with
22 applicable law, warn the traveling public when:

(i) a permitted vehicle must travel over the center line of a narrow bridge or roadway;

(ii) a permitted vehicle makes any turning movement that will require the permitted vehicle to travel in the opposing traffic lanes;

(iii) a permitted vehicle reduces speed to cross under a low overhead obstruction or over a bridge;

(iv) a permitted vehicle creates an abnormal and unusual traffic flow pattern; or

(v) in the opinion of TxDOT, warning is required to ensure the safety of the traveling public or safe movement of the permitted vehicle.

(B) Law enforcement assistance. Law enforcement assistance may be required by TxDOT to control traffic when a permitted vehicle is being moved within the corporate limits of a city, or at such times when law enforcement assistance would provide for the safe movement of the permitted vehicle and the traveling public.

(C) Obstructions. It is the responsibility of the permittee to contact utility companies, telephone companies, television cable companies, or other entities as they may require, when it is necessary to raise or lower any overhead wire, traffic signal, street light, television cable, sign, or other overhead obstruction. The permittee is responsible for providing the appropriate advance notice as required by each entity.

(2) Escort requirements for overwidth loads. Unless an exception is granted based on a route and traffic study conducted by TxDOT, an overwidth load must:

(A) have a front escort flag vehicle if the width of the load exceeds 14 feet, but does not exceed 16 feet, when traveling on a two lane roadway;

(B) have a rear escort flag vehicle if the width of the load exceeds 14 feet, but does not exceed 16 feet, when traveling on a roadway of four or more lanes; and

(C) have a front and a rear escort flag vehicle for all roads, when the width of the load exceeds 16 feet.

(3) Escort requirements for overlength loads. Unless an exception is granted by TxDOT, based on a route and traffic study, overlength loads must have:

(A) a front escort flag vehicle when traveling on a two lane roadway if the vehicle exceeds 110 feet overall length, but does not exceed 125 feet overall length;

(B) a rear escort flag vehicle when traveling on a multi-lane highway if the vehicle exceeds 110 feet overall length, but does not exceed 125 feet overall length; and

(C) a front and rear escort flag vehicle at all times if the permitted vehicle exceeds 125 feet overall length.

(4) Escort requirements for overheight loads. Unless an exception is granted by TxDOT, based on a route and traffic study, overheight loads must have:

(A) a front escort flag vehicle equipped with a height pole to ensure the vehicle and load can clear all overhead obstructions for any permitted vehicle that exceeds 17 feet in height; and

(B) a front and rear escort flag vehicle for any permitted vehicle exceeding 18 feet in height.

(5) Escort requirements for permitted vehicles exceeding legal limits in more than one dimension. When a load exceeds more than one dimension that requires an escort under this subsection, front and rear escort flag vehicles will be required unless an exception is granted by TxDOT.

(6) Escort requirements for convoys. Convoys must have a front escort flag vehicle and a rear escort flag vehicle on all highways at all times.

(7) General equipment requirements. The following special equipment requirements apply to permitted vehicles and escort flag vehicles that are not motorcycles.

(A) An escort flag vehicle must be a single unit with a gross vehicle weight (GVW) of not less than 1,000 pounds nor more than 10,000 pounds.

(B) An escort flag vehicle must be equipped with two flashing amber lights; one rotating amber beacon of not less than eight inches in diameter; or alternating or flashing blue and amber lights, each of which must be visible from all directions while actively engaged in escort duties for the permitted vehicle.

(C) An escort flag vehicle must display a sign, on either the roof of the vehicle, or the front and rear of the vehicle, with the words "OVERSIZE LOAD" or "WIDE LOAD." The sign must be visible from the front and rear of the vehicle while escorting the permitted load. The sign must meet the following specifications:

(i) at least five feet, but not more than seven feet in length, and at least 12 inches, but not more than 18 inches in height;

(ii) the sign must have a yellow background with black lettering;

(iii) letters must be at least eight inches, but not more than 10 inches high with a brush stroke at least 1.41 inches wide; and

(iv) the sign must be visible from the front or rear of the vehicle while escorting the permitted vehicle, and the signs must not be used at any other time.

(D) An escort flag vehicle must maintain two-way communications with the permitted vehicle and other escort flag vehicles involved with the movement of the permitted vehicle.

(8) Equipment requirements for motorcycles.

(A) An official law enforcement motorcycle may be used as a primary escort flag vehicle for a permitted vehicle traveling within the limits of an incorporated city, if the motorcycle is operated by a highway patrol officer, sheriff, or duly authorized deputy, or municipal police officer.

(B) An escort flag vehicle must maintain two-way communications with the permitted vehicle and other escort flag vehicles involved with the movement of the permitted vehicle.

(I) Restrictions.

(1) Daytime and nighttime movement restrictions.

(A) A permitted vehicle may be moved only during the daytime unless:

(i) the permitted vehicle is overweight only;

(ii) the permitted vehicle is traveling on an interstate highway and does not exceed 10 feet wide and 100 feet long, with front and rear overhang that complies with legal standards; or

(iii) the permitted vehicle meets the criteria of clause (ii) of this subparagraph and is overweight.

(B) An exception may be granted allowing nighttime movement, based on a route and traffic study conducted by TxDOT. Escort flag vehicles may be required when an exception allowing nighttime movement is granted.

(2) Holiday restrictions.

(A) ~~The [Effective through January 10, 2025, the]~~ maximum size limits for a permit issued under Transportation Code, Chapter 623, Subchapter D, for holiday movement is 14 feet wide, 16 feet high, and 110 feet long, unless an exception is granted based on a route and traffic study conducted by TxDOT.

1 (B) The department may restrict holiday movement of specific loads based on
2 TxDOT's determination that the load could pose a hazard for the traveling public due to local road or
3 traffic conditions.

4 (3) Curfew restrictions. The operator of a permitted vehicle must observe the curfew
5 movement restrictions published by the department.

6 (m) General provisions.

7 (1) Multiple commodities.

8 (A) When a permitted commodity creates a single overdimension, two or more
9 commodities may be hauled as one permit load, provided legal axle weight and gross weight are not
10 exceeded, and provided an overdimension of width, length or height is not created or made greater by
11 the additional commodities. For example, a permit issued for the movement of a 12 foot wide storage
12 tank may also include a 10 foot wide storage tank loaded behind the 12 foot wide tank provided that
13 legal axle weight and gross weight are not exceeded, and provided an overdimension of width, length or
14 height is not created.

15 (B) Subject to the restrictions in subparagraph (A) of this paragraph and the
16 definition of a "nondivisible load or vehicle" in §219.2 of this title (relating to Definitions), an applicant
17 requesting a permit to haul a dozer and its detached blade may be issued a permit, as a nondivisible
18 load, if removal of the blade will decrease the overall width of the load, thereby reducing the hazard to
19 the traveling public.

20 (2) Oversize hauling equipment. A vehicle that exceeds the legal size limits, as set forth
21 by Transportation Code, Chapter 621, Subchapter C, may only haul a load that exceeds legal size limits
22 unless otherwise noted in this subchapter, but such vehicle may haul an overweight load that does not

1 exceed legal size limits, except for the special exception granted in §219.13(c)(3) of this title (relating to
2 Time Permits).

3 (n) Surety bonds under Transportation Code, §623.075.

4 (1) General requirements. The surety bond must comply with the following
5 requirements:

6 (A) be in the amount of \$10,000;

7 (B) be filed on a form and in a manner prescribed by the department;

8 (C) indicate the effective date and expiration date ~~[be effective the day it is~~
9 ~~issued and expire at the end of the state fiscal year];~~

10 (D) remain valid and in effect while the vehicle is operating as specified in this
11 section;

12
13 (E) ~~[(D)]~~ include the primary mailing address and zip code of the principal;

14 (F) ~~[(E)]~~ be signed by the principal; and

15 (G) ~~[(F)]~~ have a single entity as principal with no other principal names listed.

16 (2) Non-resident agent. A non-resident agent with a valid Texas insurance license may
17 issue a surety bond on behalf of an authorized insurance company when in compliance with Insurance
18 Code, Chapter 4056.

19 (3) Certificate of continuation. A certificate of continuation will not be accepted.

20 (4) Electronic copy of surety bond. The department will accept an electronic copy of the
21 surety bond in lieu of the original surety bond.

22
23 §219.12. Single-Trip Permits Issued Under Transportation Code, Chapter 623, Subchapter D.

1 (a) General.

2 (1) The information in this section applies to single-trip permits issued under
3 Transportation Code, Chapter 623, Subchapter D. The department will issue permits under this section
4 in accordance with the requirements of §219.11 of this title (relating to General Oversize/Overweight
5 Permit Requirements and Procedures).

6 (2) The department will issue a permit for a single, continuous movement from the
7 origin to the destination during a time period not to exceed five days, unless the department grants an
8 extension pursuant to §219.11(g)(3) of this title, relating to General Oversize/Overweight Permit
9 Requirements and Procedures.

10 (b) Overweight loads.

11 (1) The maximum weight limits for an overweight permit are specified in §219.11(d).

12 (2) The applicant shall pay, in addition to the single-trip permit fee of \$60, the applicable
13 highway maintenance fee.

14 (3) The applicant must also pay the vehicle supervision fee (VSF) for a permit issued for
15 an overweight vehicle and load exceeding 200,000 pounds gross weight.

16 (A) The VSF is \$35 if:

17 (i) the vehicle and load do not exceed 254,300 pounds gross weight;

18 (ii) there is at least 95 feet of overall axle spacing; and

19 (iii) the vehicle and load do not exceed maximum permit weight on any
20 axle or axle group, as described in §219.11(d).

21 (B) The VSF is \$500 if:

22 (i) there is less than 95 feet of overall axle spacing;

(ii) the vehicle and load exceed maximum permit weight on any axle or axle group, as described in §219.11(d); or

(iii) the vehicle and load exceed 254,300 pounds gross weight. However, for a vehicle and load described in this subparagraph, the VSF is reduced from \$500 to \$100 if no bridges are crossed, and the VSF is reduced from \$500 to \$35 for an additional identical load that is to be moved over the same route within 30 days of the movement date of the original permit.

(C) An applicant must pay the VSF at the time of permit application in order to offset TxDOT's costs for analyses performed in advance of issuing the permit. A request for cancellation must be in writing and received by the department prior to collection of the structural information associated with the permit application. If the application is canceled, the department will return the vehicle supervision fee.

~~[(4) An applicant applying for a permit to move a load that is required for the fulfillment of a fixed price public works contract that was entered into prior to the effective date of this section, and administered by federal, state, or local governmental entities, will not be required to pay the vehicle supervision fee, provided the applicant presents proof of the contract to the department prior to permit issuance.]~~

(4)~~[(5)]~~ When the department has determined that a permit can be issued for an overdimension load exceeding 200,000 pounds gross weight, all remaining fees are due at the time the permit is issued.

(5)~~[(6)]~~ Unless the permit is issued for a load under subsection (c) of this section, this permit may not be used for a container, including a trailer, loaded with divisible cargo.

(6)~~[(7)]~~ The following provisions apply to an application for a superheavy permit to move an overdimension load that is over 254,300 pounds gross weight, between 200,001 and 254,300

1 pounds gross weight with less than 95 feet overall axle spacing, or over the maximum permitted weight
2 on any axle or axle group described in §219.11(d) of this title.

3 (A) In consultation with TxDOT and the applicant as necessary, the department
4 will determine a tentative route based on the physical size of the overdimension load excluding the
5 weight. After the department provides the tentative route to the applicant, the applicant must
6 investigate the tentative route and acknowledge in writing to the department that the tentative route is
7 capable of accommodating the overdimension load. If the applicant tells the department that the
8 tentative route is not capable of accommodating the overdimension load, the department will consult
9 with TxDOT and the applicant as necessary to attempt to create a tentative route that the applicant can
10 acknowledge is capable of accommodating the overdimension load.

11 (B) The applicant must provide the department with the name and email
12 address of the applicant's TxDOT-certified, licensed professional engineering firm, which TxDOT certifies
13 under Chapter 28, Subchapter G of this title (relating to Oversize and Overweight Vehicles and Loads).
14 Once the applicant provides the department with the name and email address of the applicant's TxDOT-
15 certified, licensed professional engineering firm and acknowledges to the department that the tentative
16 route is capable of accommodating the overdimension load, the department will provide the tentative
17 route and the applicant's application information to the applicant's TxDOT-certified, licensed
18 professional engineering firm.

19 (C) The applicant must provide information and documents, as requested, to the
20 applicant's TxDOT-certified, licensed professional engineering firm to enable the engineering firm to
21 provide TxDOT with a written report under §28.86 of this title (relating to Bridge Report).

22 (D) Before the superheavy permit may be issued, the applicant's TxDOT-
23 certified, licensed professional engineering firm must provide TxDOT with a written report that includes

1 a detailed structural analysis of the bridges on the tentative route, demonstrating that the bridges and
2 culverts on the tentative route are capable of sustaining the load. The department will not issue a
3 superheavy permit unless TxDOT provides the department with approval for the tentative route
4 proposed by the department and acknowledged by the applicant as capable of accommodating the
5 overdimension load.

6 (c) Drill pipe and drill collars hauled in a pipe box.

7 (1) A vehicle or combination of vehicles may be issued a permit under Transportation
8 Code, §623.071, to haul drill pipe and drill collars in a pipe box.

9 (2) The maximum width must not exceed 10 feet.

10 (3) The axle weight limits must not exceed the maximum weight limits as specified in
11 §219.11(d)(3).

12 (4) The height and length must not exceed the legal limits specified in Transportation
13 Code, Chapter 621, Subchapter C.

14 (5) The permit will be issued for a single-trip only. For loads over 80,000 pounds, the
15 applicant must pay the single-trip permit fee, in addition to the highway maintenance fee specified in
16 Transportation Code, §623.077.

17 (6) The permit is valid only for travel on any farm-to-market and ranch-to-market road,
18 and such road will be specified on the permit; however, the permitted vehicle will not be allowed to
19 cross any load restricted bridge when exceeding the posted capacity of the bridge.

20 (7) Movement will be restricted to daytime only.

21 (d) Houses.

22 (1) The issuance of a permit for a house exceeding 20 feet in width will be based on:

1 (A) the amount of inconvenience and hazard to the traveling public, based on
2 traffic volume;

3 (B) highway geometrics and time of movement; and

4 (C) the overall width, measured to the nearest inch, of the house, including the
5 eaves or porches.

6 (2) The proposed route must include the beginning and ending points on a state
7 highway.

8 (3) A permit may be issued for the movement of an overweight house provided:

9 (A) the applicant provides the department with the requested information
10 regarding weights;

11 (B) each support beam, parallel to the centerline of the highway, is equipped
12 with an identical number of two-axle groups which may be placed directly in line and across from the
13 other corresponding two-axle group or may be placed in a staggered offset arrangement to provide for
14 proper weight distribution;

15 (C) that, when a support beam is equipped with two or more two-axle groups,
16 each two-axle group is connected to a common mechanical or hydraulic system to ensure that each two-
17 axle group shares equally in the weight distribution at all times during the movement; and when the
18 spacing between the two-axle groups, measured from the center of the last axle of the front group to
19 the center of the first axle of the following group, is eight feet or more, the front two-axle group is
20 equipped for self-steering in a manner that will guide or direct the axle group in turning movements
21 without tire scrubbing or pavement scuffing; and

22 (D) the department conducts a detailed analysis of each structure on the
23 proposed route and determines the load can be moved without damaging the roads and bridges.

(e) Self-propelled off-road equipment. A permit may be issued for the movement of oversize and overweight self-propelled off-road equipment under the following conditions.

- (1) The weight per inch of tire width must not exceed 650 pounds.
- (2) The rim diameter of each wheel must be a minimum of 25 inches.
- (3) The maximum weight per axle must not exceed 45,000 pounds.
- (4) The minimum spacing between axles, measured from center of axle to center of axle, must not be less than 12 feet.
- (5) The equipment must be moved empty.
- (6) The route will not include any controlled access highway, unless an exception is granted based on a route and traffic study conducted by TxDOT.

219.15. Portable Building Unit Permits.

(a) Statutory authority. Permits under this section are issued under Transportation Code, Chapter 623, Subchapter F. ~~[General information.]~~

~~[(1) A vehicle or vehicle combination transporting one or more portable building units and portable building compatible cargo that exceed legal length or width limits set forth by Transportation Code, Chapter 621, Subchapters B and C, may obtain a permit under Transportation Code, Chapter 623, Subchapter F.]~~

~~[(2) In addition to the fee required by statute, the department shall collect an amount equal to any fee that would apply to the movement of cargo exceeding any applicable width limits, if such cargo were moved in a manner not governed by this section.]~~

(b) Application for permit. Applications shall be made in accordance with §219.11(c) of this title (relating to General Oversize/Overweight Permit Requirements and Procedures).

(c) Permit issuance. Permit issuance is subject to the requirements of §219.11(e) and (g) of this title.

(d) Refund of permit fees. A permit fee will not be refunded after the permit number has been issued unless such refund is necessary to correct an error made by the permit officer. ~~[Non-refundable permit fee. All fees are non-refundable.]~~

(e) Permit provisions and conditions.

(1) A portable building unit may only be issued a single-trip permit.

(2) Portable building units may be loaded end-to-end to create an overlength permit load, provided the overall length does not exceed 80 feet, unless the vehicle configuration is a truck-tractor or truck-tractor combination exempted by Transportation Code, §623.121(b).

(3) Portable building units must not be loaded side-by-side to create an overwidth load, or loaded one on top of another to create an overheight load.

(4) Portable building units must be loaded in a manner that will create the narrowest width for permit purposes and provide for greater safety to the traveling public.

~~[(5) The permit will be issued for a single continuous movement from the origin to the destination for an amount of time necessary to make the move, not to exceed 10 consecutive days.]~~

~~[(6) Movement of the permitted vehicle must be made during daytime only.]~~

~~[(7) A permittee may not transport portable building units or portable building compatible cargo with a void permit; a new permit must be obtained.]~~