

sition, military or law enforcement rank or status, or any other official government position or status; or[-]

(H) deceptively similar to a military, restricted distribution, or other specialty plate.

(3) The alpha-numeric pattern is currently issued to another owner.

(e) A decision to cancel or not issue a plate under subsection (d) of this section may be appealed to the executive director of the department or the executive director's designee within 20 days of notification of the cancellation or non-issuance. The requesting party may submit written arguments, but shall not be entitled to a contested case hearing. The executive director or the executive director's designee will consider the requesting party's arguments and issue a decision no later than 30 days after the submission of the appeal, unless additional information is sought from the requestor, in which case the time for decision is tolled until the additional information is provided. The decision of the executive director or the executive director's designee is final and may not be appealed. An appeal is denied by operation of law 31 days from the submission of the appeal, or if the requestor does not provide additional requested information within ten days of the request.

(f) [(e)] The provisions of subsection (a) of this section do not apply to vehicles registered with annual license plates issued by the department.

(g) Any person whose initial application has been denied may either receive a refund or select a new alpha-numeric pattern. If an existing personalized alpha-numeric pattern has been cancelled, the person may choose a new personalized alpha numeric pattern which will be valid for the remainder of the term or will forfeit the remaining term purchased.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on April 23, 2018.  
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David D. Duncan  
General Counsel  
Texas Department of Motor Vehicles  
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For further information, please call: (512) 465-5665



CHAPTER 219. OVERSIZE AND OVERWEIGHT VEHICLES AND LOADS  
SUBCHAPTER E. PERMITS FOR OVERSIZE AND OVERWEIGHT UNLADEN LIFT EQUIPMENT MOTOR VEHICLES

43 TAC §§219.60 - 219.64

The Texas Department of Motor Vehicles (department) proposes amendments to Chapter 219, Oversize and Overweight Vehicles and Loads, Subchapter E, Permits for Oversize and Overweight Unladen Lift Equipment Motor Vehicles, §219.60, Purpose and Scope; §219.61, General Requirements for Permits for Oversize and Overweight Unladen Lift Equipment Motor Vehicles; §219.62, Single Trip Mileage Permits; §219.63, Quarterly Hubometer Permits; and §219.64, Annual Permits.

EXPLANATION OF PROPOSED AMENDMENTS

Proposed amendments authorize a crane that is permitted under Chapter 219, Subchapter E, to travel with properly secured equipment in accordance with manufacturer's specifications to the extent the equipment is necessary for the crane to perform its intended function. For example, counterweights are necessary at the job site to stabilize the crane. The Federal Highway Administration authorizes the states to determine whether such equipment should travel with the crane or be removed for transport on a separate vehicle. Other states authorize properly secured equipment to be transported with the crane in accordance with the manufacturer's specifications.

Industry representatives asked the department to consider amending our rules because the Texas rules are not consistent with the laws and rules of other states. Industry is required to comply with different standards when they cross the state line into Texas. The department proposes these amendments to allow properly secured equipment to be transported with the crane in accordance with the definition of a "nondivisible vehicle" in §219.2.

The department proposes other amendments because it received calls from industry and law enforcement after drivers were stopped by law enforcement for traveling at nighttime without a front and rear escort vehicle when the permitted crane (annual permit) was overweight, but did not exceed legal size limits under Transportation Code, Chapter 621, Subchapter C. Except as otherwise specified in Chapter 219, Subchapter E, proposed amendments authorize a permitted crane to travel at nighttime without a front or rear escort vehicle if the crane is overweight, but does not exceed legal size limits under Transportation Code, Chapter 621, Subchapter C. These proposed amendments are consistent with the language in §219.11(1)(2)(A)(i), as well as the information on the department's webpage regarding single-trip mileage permits for cranes.

Unlike a crane that exceeds legal size, a front and rear escort vehicle is not required to protect the safety of the traveling public or to protect the roadways from an overweight crane, except as otherwise specified in Chapter 219, Subchapter E. The language in §219.62 and §219.63 currently requires a crane that exceeds 175,000 pounds gross weight to have a front and rear escort vehicle to prevent traffic from traveling beside the crane as it crosses a bridge.

A front and rear escort vehicle is needed to protect the safety of the traveling public when the permitted crane is traveling at nighttime and exceeds any of the legal size limits under Transportation Code, Chapter 621, Subchapter C. Proposed amendments provide uniform requirements for permitted cranes to travel at nighttime, including existing requirements that were previously only listed on the department's website.

Other proposed amendments improve the terminology, correct errors, modify the language for consistency with other rules in Chapter 219, delete language that duplicates language in Chapter 219 or in statute, make the rules consistent with current practice, and restructure portions of Chapter 219 due to deletions.

FISCAL NOTE

Linda M. Flores, Chief Financial Officer, has determined that for each of the first five years the amendments as proposed are in effect, there will be no fiscal implications for state or local governments as a result of enforcing or administering the proposed amendments.

Jimmy Archer, Director of the Motor Carrier Division, has determined that there will be no significant impact on local economies or overall employment as a result of enforcing or administering the proposed amendments.

#### PUBLIC BENEFIT AND COST

Mr. Archer has also determined that for each year of the first five years the amendments are in effect, the public benefit anticipated as a result of enforcing or administering the amendments will be rules that promote interstate commerce, and rules that clearly spell out uniform requirements and restrictions regarding crane permits. There are no anticipated economic costs for persons required to comply with the proposed amendments, including the amendments that spell out the current process for a single-trip mileage permit when the crane has any group of axles that exceeds the limits specified in Figure 1 and Figure 2 in §219.62(f). There will be no adverse economic effect on small businesses, micro-businesses, or rural communities.

#### TAKINGS IMPACT ASSESSMENT

The department has determined that this proposal affects no private real property interests and that this proposal does not restrict or limit an owner's right to property that would otherwise exist in the absence of government action, and so does not constitute a taking or require a takings impact assessment under Government Code, §2007.043.

#### GOVERNMENT GROWTH IMPACT STATEMENT

The department has determined that during the first five years the proposed amendments are in effect, no government program will be created or eliminated. Implementation of the proposed amendments will not require the creation of new employee positions or elimination of existing employee positions. Implementation will not require an increase or decrease in future legislative appropriations to the department or an increase or decrease of fees paid to the department. Additionally, the proposed amendments do not create a new regulation or expand an existing regulation. The proposed amendments do not limit or repeal an existing regulation, other than removing the requirement for a crane with an annual permit to have a front and rear escort vehicle while traveling at nighttime when the crane is overweight and does not exceed legal size under Transportation Code, Chapter 621, Subchapter C. The proposed amendments do not affect the number of individuals subject to the rule's applicability. The proposed amendments will not affect this state's economy, other than possibly increasing interstate commerce by allowing certain properly secured equipment to be transported with the permitted crane.

#### SUBMITTAL OF COMMENTS

Written comments on the proposed amendments may be submitted to David D. Duncan, General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue, Austin, Texas 78731 or by email to [rules@txdmv.gov](mailto:rules@txdmv.gov). The deadline for receipt of comments is 5:00 p.m. on June 4, 2018.

#### STATUTORY AUTHORITY

The amendments are proposed under Transportation Code, §1002.001, which provides the board of the Texas Department of Motor Vehicles (board) with the authority to adopt rules that are necessary and appropriate to implement the powers and the duties of the department; and more specifically, Transportation Code, §623.002 which authorizes the board to adopt rules that are necessary to implement and enforce Chapter 623.

#### CROSS REFERENCE TO STATUTE

Transportation Code, Chapter 623.

§219.60. *Purpose [and Scope].*

[In accordance with Transportation Code, Chapter 623, Subchapters I and J, the department may issue a permit for the operation of an oversize or overweight crane which is designed for use as lift equipment when the crane cannot comply with one or more of the restrictions set out in Transportation Code, Chapter 623, Subchapter C, and §621.101.] The [following] sections in this subchapter set forth the requirements and procedures applicable to [those] permits issued for cranes under the provisions of Transportation Code, Chapter 623, Subchapters I and J.

§219.61. *General Requirements for Permits for Oversize and Overweight Unladen Lift Equipment Motor Vehicles.*

(a) General information.

(1) Unless otherwise noted, permits issued under this subchapter are subject to the requirements of this section.

(2) Cranes are eligible for an annual permit under this subchapter.

(3) Cranes are also eligible for the following permits under this subchapter at weights above those established by §219.11(d)(2) of this title (relating to General Oversize/Overweight Permit Requirements and Procedures):

(A) single-trip mileage permits; and

(B) quarterly hubometer permits.

(4) If a truck-tractor is used to transport a trailer-mounted crane, the combination of vehicles is limited to the dimensions and weights listed in this subchapter.

[Unladen lift equipment motor vehicles (cranes) permitted under this subchapter are eligible for:]

[(1) permit weight limits above those established by §219.11(d)(2) of this title (relating to General Oversize/Overweight Permit Requirements and Procedures);]

[(2) single-trip mileage permits;]

[(3) quarterly hubometer permits; and]

[(4) annual permits.]

(b) Permit application. An application shall be made on a form and in a manner prescribed by the department. The applicant shall provide all applicable information, including:

(1) name, address, telephone number, and email address (if requested) of the applicant;

(2) year and make of the crane;

(3) vehicle identification number of the crane;

(4) width, height, and length of the crane;

(5) crane [unit] axle and tire information, including the number of axles, distance between axles, gauge per axle, axle weights, number of tires, and tire size; and

(6) any other information required by law.

(c) Payment of permit fees. Fees for permits issued under this subchapter are payable as described in §219.11(f).

(d) Restrictions.

(1) A crane [vehiele] permitted under this subchapter is subject to the restrictions specified in §219.11(1)(1), (3), and (4), and

the permittee is responsible for obtaining information concerning current restrictions from the department.

(2) A crane [vehiele] permitted under this subchapter may travel through highway construction or maintenance areas provided the dimensions do not exceed the construction restrictions as published by the department.

(3) A crane permitted under this subchapter may only be operated during daylight, unless:

(A) the crane is overweight only. An escort vehicle is not required unless otherwise specified in this subchapter; or

(B) the crane is accompanied by a front and rear escort vehicle and does not exceed:

(i) 10 feet, 6 inches in width;

(ii) 14 feet in height; or

(iii) 95 feet in length.

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

~~(e) [(f)] Transferability. Unless otherwise noted, a permit issued under this subchapter may not be transferred between cranes or between permittees.~~

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

(f) [(h)] Escort requirements. In addition to any other escort requirements specified in this subchapter, cranes permitted under this subchapter are subject to the escort requirements specified in §219.11(k).

(g) Properly secured equipment. A crane permitted under this subchapter may travel with properly secured equipment, such as outriggers, booms, counterweights, jibs, blocks, balls, cribbing, outrigger pads, and outrigger mats, in accordance with the manufacturer's specifications to the extent the equipment is necessary for the crane to perform its intended function, provided the axle weights, axle group weights, and gross weight do not exceed the maximum permit weights listed in this subchapter.

#### §219.62. Single-Trip [Single Trip] Mileage Permits.

(a) General information.

(1) Permits issued under this section are subject to the requirements of §219.61 of this title (relating to General Requirements for Permits for Oversize and Overweight Unladen Lift Equipment Motor Vehicles).

(2) A single-trip mileage permit:

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

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

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

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

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

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

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

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

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

(5) Except as otherwise provided in this section, the permitted crane [The permitted vehicle] must not cross a load-restricted [load restricted] bridge when exceeding the posted capacity of the bridge. [such.]

(b) Maximum permit weight limits.

(1) The maximum permit weight for any single axle must not exceed 30,000 pounds or 850 pounds per inch of tire width, whichever is less.

(2) The maximum permit weight for any group of axles on a crane is determined by calculating the "W" weight for the group, using the formulas shown in Figure 2: 43 TAC §219.62(f), "Maximum Permit Weight Formulas," and comparing the calculated "W" weight with the corresponding "W" weight that is established in Figure 1: 43 TAC §219.62(f), "Maximum Permit Weight Table."

(3) The maximum permit weight per inch of tire width for axles that are steerable must not exceed 950 pounds, and the maximum permit weight per inch of tire width for axles that are not steerable must not exceed 850 pounds.

~~(4) A crane that does not have any group of axles that exceeds the limits established in Figure 1: 43 TAC §219.62(f), "Maximum Permit Weight Table," and Figure 2: 43 TAC §219.62(f), "Maximum Permit Weight Formulas," will be permitted with a single-trip mileage permit or a quarterly hubometer permit for travel on any route that does not include a load restricted bridge.~~

(4) [(5)] An applicant with a [A] crane that has any group of axles that exceeds the limits established by Figure 1: 43 TAC §219.62(f), "Maximum Permit Weight Table," and Figure 2: 43 TAC §219.62(f), "Maximum Permit Weight Formulas," must submit the following to the department to determine if a permit can be issued:

(A) a detailed diagram, on a form prescribed by the department, which illustrates the required information listed in §219.61(b)(5);

(B) the exact beginning and ending points relative to a state highway; and

(C) the name and contact information of the applicant's TxDOT-approved licensed professional engineer.

(5) The department will select and provide the applicant with a tentative route based on the size of the crane, excluding the weight. The applicant must inspect the tentative route and advise the department, in writing, that the route is capable of accommodating the crane.

(6) Before the department will issue a permit, the applicant's TxDOT-approved licensed professional engineer must submit to TxDOT a written certification that includes a detailed structural analysis of the bridges on the proposed route demonstrating that the bridges and culverts on the travel route are capable of sustaining the crane. The certification must be approved by TxDOT and submitted to the department before the department will issue the permit. [will be eligible, on an individual case-by-case basis, for a single-trip mileage permit only. Permit approval or denial will be based on a detailed route study and an analysis conducted by TxDOT of each bridge on the proposed travel

route to determine if the road(s) and bridge(s) are capable of sustaining the movement.]

[(6) A road or bridge that has been analyzed and determined to be incapable of sustaining the crane will be excluded from the permit route.]

(c) Permit application and issuance.

(1) An application for a single-trip mileage permit under this section must be made in accordance with §219.61(b) of this title and must also include the origin and destination points of the crane.

(2) Upon receipt of the application, the department will review and verify size and weight information, check the route and mileage to be traveled, compute the permit fee, and advise the applicant of the permit fee.

(3) Upon receipt of the permit fee, the department will advise the applicant of the permit number and will provide a copy of the permit to the applicant.

(d) Permit fees and refunds.

(1) Minimum fee. The minimum fee for a single-trip mileage permit is either the calculated permit fee or \$31, whichever is the greater amount.

(2) Permit fee calculation. The permit fee for a single-trip mileage permit is calculated by multiplying the number of miles traveled, the highway use factor, and the total rate per mile, and then adding the indirect cost share to the product.

(A) Highway use factor. The highway use factor for a single-trip mileage permit is 0.6.

(B) Total rate per mile. The total rate per mile is the combined mileage rates for width, height, and weight for the crane [unit]. The rate per mile for a trailer-mounted [trailer mounted] crane is based on the overall width, overall height, and all axle weights, including the truck-tractor axles.

(i) The mileage rate for width is \$.06 per mile for each foot (or fraction thereof) above legal width.

(ii) The mileage rate for height is \$.04 per mile for each foot (or fraction thereof) above legal height.

(iii) The mileage rate for a single axle or any axle within a group that exceeds 20,000 pounds, but is less than or equal to 25,000 pounds, is calculated by multiplying \$.045 times the amount by which the axle or axle group weight exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1,000 pounds.

(iv) The mileage rate for a single axle or any axle within a group that exceeds 25,000 pounds, but is less than or equal to 30,000 pounds, is calculated by multiplying \$.055 times the amount by which the axle or axle group weight exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1,000 pounds.

(3) Exceptions to fee computations. A crane with two or more axle groups that does not have a spacing of at least 12 feet between the closest axles of the opposing groups must have the permit fee calculated by the following method.

(A) The axle group with the lowest weight will have the axle closest to the next axle group temporarily disregarded from its group in order to create a spacing of at least 12 feet between the two groups for fee calculation purposes.

(B) An axle group will not have more than one axle disregarded.

(C) The permit fee for the axle group with the temporarily disregarded axle must be based on the actual weight of the entire axle group minus the legal weight for the remaining axles of the group.

(4) Refunds. Fees for permits issued under this section are non-refundable.

(e) Amendments. A single-trip mileage permit issued under this section may not be amended unless an exception is granted by the department.

(f) Weight table and formulas. The following table entitled "Maximum Permit Weight Table" is Figure 1: 43 TAC §219.62(f), and the list of formulas entitled "Maximum Permit Weight Formulas," is Figure 2: 43 TAC §219.62(f).

Figure 1: 43 TAC §219.62(f) (No change.)

Figure 2: 43 TAC §219.62(f) (No change.)

§219.63. Quarterly Hubometer Permits.

(a) General information.

(1) Permits issued under this section are subject to the requirements of §219.61 of this title (relating to General Requirements for Permits for Oversize and Overweight Unladen Lift Equipment Motor Vehicles).

(2) A quarterly hubometer permit:

(A) is effective for three consecutive months;

(B) allows the crane [vehicle] to travel on all state-maintained highways; and

(C) allows the crane [unit] to travel on a state-wide basis.

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

(A) 12 feet in width;

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

(C) 95 feet in length.

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

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

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

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

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

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

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

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

(6) [(8)] The permitted crane [vehicle] must not cross a load-restricted [load restricted] bridge when exceeding the posted capacity of the bridge.

(7) [(9)] The permit may be amended only to indicate:

- (A) a new hubometer serial number; or
- (B) a new license plate number.

(b) Maximum permit weight limits.

(1) The maximum permit weight for any single axle must not exceed 30,000 pounds or 850 pounds per inch of tire width, whichever is less.

(2) The maximum permit weight for any group of axles on a crane will be determined by calculating the "W" weight for the group, using the formulas in Figure 2: 43 TAC §219.62(f), "Maximum Permit Weight Formulas," and comparing the calculated "W" weight with the corresponding "W" weight that is established in Figure 1: 43 TAC §219.62(f), "Maximum Permit Weight Table."

(3) The maximum permit weight per inch of tire width for axles that are steerable must not exceed 950 pounds, and the maximum permit weight per inch of tire width for axles that are not steerable must not exceed 850 pounds.

[(4) A crane that does not have any group of axles that exceeds the limits established in Figure 1: 43 TAC §219.62(f), "Maximum Permit Weight Table," and Figure 2: 43 TAC §219.62(f), "Maximum Permit Weight Formulas," will be permitted with a single-trip mileage permit or a quarterly hubometer permit for travel on any route that does not include a load restricted bridge.]

(4) [(5)] A crane that has any group of axles that exceeds the limits established by Figure 1: 43 TAC §219.62(f), "Maximum Permit Weight Table," and Figure 2: 43 TAC §219.62(f), "Maximum Permit Weight Formulas," is not eligible for a permit under this section; however, it is eligible for a permit under §219.62 of this title (relating to Single-Trip Mileage Permits). [will be eligible, on an individual case-by-case basis, for a single-trip mileage permit only; permit approval or denial will be based on a detailed route study and an analysis conducted by TxDOT of each bridge on the proposed travel route to determine if the road(s) and bridge(s) are capable of sustaining the movement.]

[(6) A bridge that has been analyzed and determined to be incapable of sustaining the crane will be excluded from the permit route.]

(c) Initial permit application and issuance.

(1) An application for an initial quarterly hubometer permit must be made in accordance with §219.61(b) of this title. In addition, the applicant must provide the current hubometer mileage reading and an initial \$31 processing fee.

(2) Upon verification of the crane [unit] information and receipt of the permit fee, the department will provide a copy of the permit to the applicant, and will also provide a renewal application form to the applicant.

(d) Permit renewals and closeouts.

(1) An application for a permit renewal or closeout must be made on a form and in a manner prescribed by the department.

(2) Upon receipt of the renewal application, the department will verify crane information, check mileage traveled on the last permit, calculate the new permit fee, and advise the applicant of the permit fee.

(e) Permit fees.

(1) Minimum fee. The minimum fee for a quarterly hubometer permit is either the calculated permit fee or \$31, whichever is the greater amount.

(2) Fees for overlength cranes [units]. A crane that is overlength only is not required to have a hubometer. The fee for this permit is \$31. [must obtain a quarterly hubometer permit with a fee of \$31, and is not required to have a hubometer.]

(3) Quarterly hubometer permit fee calculation. The permit fee for a quarterly hubometer permit is calculated by multiplying the hubometer mileage, the highway use factor, and the total rate per mile, and then adding the indirect cost share to the product.

(A) Hubometer mileage. Mileage for a quarterly hubometer permit is determined by the crane's current hubometer mileage reading minus the crane's hubometer mileage reading from the previous quarterly hubometer permit.

(B) Highway use factor. The highway use factor for a quarterly hubometer permit is 0.3.

(C) Total rate per mile. The total rate per mile is the combined mileage rates for width, height, and weight for the crane.

(i) The mileage rate for width is \$.06 per mile for each foot (or fraction thereof) above legal width.

(ii) The mileage rate for height is \$.04 per mile for each foot (or fraction thereof) above legal height.

(iii) The mileage rate for a single axle or any axle within a group that exceeds 20,000 pounds, but is less than or equal to 25,000 pounds, is calculated by multiplying \$.045 times the amount by which the axle or axle group weight exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1,000 pounds.

(iv) The mileage rate for a single axle or any axle within a group that exceeds 25,000 pounds, but is less than or equal to 30,000 pounds, is calculated by multiplying \$.055 times the amount by which the axle or axle group weight exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1,000 pounds.

(4) Special fee provisions. A crane with two or more axle groups that do not have a spacing of at least 12 feet between the closest axles of the opposing groups must have the permit fee calculated by the following method.

(A) The axle group with the lowest weight will have the axle closest to the next axle group temporarily disregarded from its group in order to create a spacing of at least 12 feet between the two groups for fee calculation purposes.

(B) An axle group will not have more than one axle disregarded.

(C) The permit fee for the axle group with the temporarily disregarded axle must be based on the actual weight of the entire axle group minus the legal weight for the remaining axles of the group.

§219.64. Annual Permits.

(a) General information. Permits issued under this section are subject to the requirements of §219.61 of this title (relating to General Requirements for Permits for Oversize and Overweight Unladen Lift Equipment Motor Vehicles).

(1) A crane permitted under this section must not exceed:

(A) the weight limits established in §219.11(d)(1), (2), and (3) of this title (relating to General Oversize/Overweight Permit Requirements and Procedures);

(B) a gross weight of 120,000 pounds;

(C) legal length and height limits as specified in Transportation Code, Chapter 621, Subchapter C; and

(D) 10 feet in width.

(2) A permit issued under this section may not be amended.

(3) A crane permitted under this section must not cross a ~~load-restricted~~ [load restricted] bridge or a ~~load-restricted~~ [load restricted] road when exceeding the posted capacity of such.

~~[(4) A crane permitted under this section may travel at night with front and rear escort vehicles.]~~

~~[(5) The fee for an annual permit issued under this section is \$100.]~~

(b) Permit application and issuance.

(1) Initial permit application. An application for an annual permit under this section must be made in accordance with §219.61(b) of this title.

(2) Permit issuance. Upon receipt of the application and the appropriate permit fee, the department will verify the application information and provide the permit to the applicant.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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David D. Duncan

General Counsel

Texas Department of Motor Vehicles

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