



The following is a list of issues facing the trucking industry in Texas that TMTA would like to have addressed in the upcoming Legislative session in 2013.

Margins Tax – The trucking industry is being disproportionately affected by the margins tax. Many trucking companies have “pass-through” charges they have to pay tax on such as third party charges, i.e.; os/ow permits, oversize load escort services, fuel surcharges that are passed on directly to the independent contractor, third party loading and/or unloading services, etc.

Tax on Reefer Fuel – The temperature controlled trucking companies are required to pay fuel tax on fuel that is used to run units mounted on semi-trailers. These units have their own fuel tanks that helps keep track of the fuel used. Truckers could use tax-free “dyed diesel” however it is not readily available and not sold at retail/fuel truck stops.

OS/OW Permit Issues – a rider placed under TxDOT’s 2011-12 budget calls for a permit study to be completed prior to the 2013 Legislative Session. We hope to have input into the study so that any permit issues we have can be addressed within this study. However, it was recently brought to our attention that Section 623.150 in the Transportation Code prohibited oil well servicing and drilling machinery permits to be issued to any company that had trucks with a GVWR greater than 26,000 pounds. We are not sure why that provision is in the law.

Shippers’ Responsibilities as Related to Overweight Trucks – There are some shippers that try to ship heavier loads than legally allowed in order to reduce the number of trucks they have to pay for. This overloading practice obviously reduces the shippers overall costs and boosts their profits. Under the current laws, there are no aiding and abetting provisions to hold the shippers accountable for their actions.

Truck Registration/Licensing – It is taking too long for trucks to be registered/licensed in the State. This is costly to the motor carriers who have to wait to use this equipment. The general public does not have the delay or wait when purchasing an automobile and the truck owners should not have this issue either. Some other states have implemented steps to reduce if not eliminate the wait time. Texas should be taking similar steps.