

BILL ANALYSIS

Senate Research Center

S.B. 1828
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DIGEST

Currently, Texas Department of Public Safety (DPS) officers and municipal police officers who have been certified to provide safety enforcement under Article 6675d, Transportation Code, use ports-of-entry under the jurisdiction of the U.S. Customs Service to weigh and inspect trucks which cross the Texas-Mexico border to deliver goods in Texas and in other states. Although agents of the Texas Alcoholic Beverage Commission are authorized to use these ports of entry, DPS officers and other certified peace officers do not have statutory authority to use ports of entry. This bill gives DPS and police officers certified under Section 6, Article 6675d, V.T.C.S., statutory authority to use ports-of-entry.

PURPOSE

As proposed, S.B. 1828 gives Department of Public Safety officers and police officers certified under Section 6, Article 6675d, V.T.C.S., statutory authority to use ports-of-entry.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 6, Article 6675d, V.T.C.S., as follows:

Sec. 6. New heading: CERTIFICATION OF MUNICIPAL POLICE OFFICERS. Requires the Department of Public Safety of Texas (department) to establish procedures, including training for the certification of municipal police, rather than peace, officers to enforce this article. Makes conforming changes.

SECTION 2. Amends Section 8, Article 6675d, V.T.C.S., as follows:

Sec. 8. DETENTION OF VEHICLES. Authorizes an officer of the department to enter or detain on a highway or at a port of entry a motor vehicle that is subject to this article. Authorizes an officer who detains a vehicle under this section to prohibit the further operation of the vehicle on a highway if the vehicle or operator of the vehicle is in violation of a federal safety regulation or a rule adopted under this article. Makes conforming changes.

SECTION 3. Amends Section 621.401, Transportation Code, to redefine "weight enforcement officer."

SECTION 4. Amends Section 621.409, Transportation Code, as follows:

Sec. 621.409. New heading: WEIGHING OF LOADED VEHICLES BY PORT-OF-ENTRY SUPERVISORS, INSPECTORS, OR WEIGHT ENFORCEMENT OFFICERS. Authorizes certain persons, including a weight enforcement officer, to weigh certain vehicles using portable or stationary scales furnished or approved by the department. Makes conforming and nonsubstantive changes.

SECTION 5. Amends Section 621.503(a), Transportation Code, to prohibit a person from loading

or causing to be loaded a vehicle that exceeds certain weight limitations.

SECTION 6. Emergency clause.

Effective date: upon passage.