

BILL ANALYSIS

Senate Research Center
78R1843 JTS-F

S.B. 488
By: Ogden
Infrastructure Development and Security
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As Filed

DIGEST AND PURPOSE

The 77th Texas Legislature made changes to the overweight vehicle laws with the passage of S.B. 888 and S.B. 889. As proposed, S.B. 488 clarifies that the Texas Department of Public Safety can assess penalties for overweight trucks on roads that have weight limits set by Texas Transportation Commission or a county commissioners court. This bill also repeals the statute that allows vehicle owners to shift their loads to reduce the weight prior to being assessed a penalty.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 621.102, Transportation Code, by adding Subsection (i) to prohibit a person from operating a vehicle or combination of vehicles on a road for which the Texas Transportation Commission (TTC) has established a maximum weight under this section if the weight of the vehicle or combination of vehicles exceeds the maximum weight established by the TTC, except as provided by Subsection (e).

SECTION 2. Amends Section 621.301, Transportation Code, by adding Subsection (f) to prohibit a person to operate a vehicle or combination of vehicles on a road for which the commissioners court of a county has established a maximum weight established by the commissioners court, except as provided by Subsection (e).

SECTION 3. Amends Section 621.506(a), Transportation Code, to add Sections 621.102 and 621.301 to the list of sections under which a person commits an offense if the person operates a vehicle or combination of vehicles in violation of a section.

SECTION 4. Amends Section 623.019(c), Transportation Code, to include single axle weight and tandem axle weight in regards to a vehicle's weight. Makes conforming changes.

SECTION 5. Repealer: Section 621.402(c) (Weighing Loaded Vehicle), Transportation Code.

SECTION 6. Effective date: September 1, 2003.