

By: Birdwell, et al.  
(Little)

S.B. No. 2199

A BILL TO BE ENTITLED

AN ACT

relating to increasing the criminal penalty for loading certain overweight vehicles transporting hazardous materials at a weight that exceeds the weight limitations authorized for the vehicle.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 621.506, Transportation Code, is amended by amending Subsection (b) and adding Subsection (b-4) to read as follows:

(b) Except as provided by Subsections (b-1), (b-2), ~~[and]~~ (b-3), and (b-4), an offense under this section is a misdemeanor punishable:

(1) by a fine of not less than \$100 and not more than \$250;

(2) on conviction of an offense involving a vehicle having a single axle weight or tandem axle weight that is heavier than the vehicle's allowable weight, by a fine according to the following schedule:

Pounds Overweight	Fine Range
less than 2,500	\$100 to \$500
2,500-5,000	\$500 to \$1,000
more than 5,000	\$1,000 to \$2,500; or

(3) on conviction of an offense involving a vehicle having a gross weight that is heavier than the vehicle's allowable weight, by a fine according to the following schedule:

1	Pounds Overweight	Fine Range
2	less than 2,500	\$100 to \$500
3	2,500-5,000	\$500 to \$1,000
4	5,001-10,000	\$1,000 to \$2,500
5	10,001-20,000	\$2,500 to \$5,000
6	20,001-40,000	\$5,000 to \$7,000
7	more than 40,000	\$7,000 to \$10,000.

8        (b-4) Notwithstanding any other provision of this section,  
9 an offense under Subsection (a)(2) is a felony of the second degree  
10 if the offense involves a vehicle with at least three axles that is  
11 transporting fuel or other hazardous materials in a cargo tank, as  
12 defined by Section 162.001, Tax Code, and was loaded at a weight  
13 that exceeds the weight limitations authorized for the vehicle.

14        SECTION 2. The change in law made by this Act applies only  
15 to an offense committed on or after the effective date of this Act.  
16 An offense committed before the effective date of this Act is  
17 governed by the law in effect on the date the offense was committed,  
18 and the former law is continued in effect for that purpose. For  
19 purposes of this section, an offense was committed before the  
20 effective date of this Act if any element of the offense occurred  
21 before that date.

22        SECTION 3. This Act takes effect September 1, 2025.