

By: Birdwell

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 transporting fuel or other
11 hazardous materials in a cargo tank, as defined by Section 162.001,
12 Tax Code, that was loaded at a weight that exceeds the weight
13 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.