

BILL ANALYSIS

Senate Research Center
79R10736 DWS-F

H.B. 1822
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Transportation & Homeland Security
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, law enforcement personnel lack the tools to enforce weight enforcement programs at stationary scales.

Under H.B. 1822, an operator of a commercial vehicle commits an offense if the operator fails to stop at a weigh station or knowingly evades a weigh station. It is a defense to prosecution if the operator fails to stop at a weigh station based on the direction of a weight enforcement officer.

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 Subchapter F, Chapter 621, Transportation Code, by adding Section 621.411, as follows:

Sec. 621.411. **PASSING OR AVOIDING WEIGH STATION.** (a) Defines "weigh station."

(b) Provides that an operator required by law, including a rule, to stop at a weigh station that is in operation commits an offense if the operator does not stop at a weigh station that is in operation or knowingly evades a weigh station by use of an alternate road or other means.

(c) Provides that it is an affirmative defense to prosecution of an offense of failing to stop at a weigh station that the operator was complying with the directions of a weight enforcement officer.

SECTION 2. Effective date: September 1, 2005.