

By: Kolkhorst

H.B. No. 1822

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an offense of passing or avoiding a weigh station by
3 certain vehicle operators.

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

5 SECTION 1. Subchapter F, Chapter 621, Transportation Code,
6 is amended by adding Section 621.411 to read as follows:

7 Sec. 621.411. PASSING OR AVOIDING WEIGH STATION. (a) In
8 this section, "weigh station" means a fixed-site facility with
9 stationary scales maintained by the state to enforce vehicle weight
10 limitations.

11 (b) An operator of a truck or truck tractor operated in
12 combination with a loaded trailer or semitrailer commits an offense
13 if the operator does not stop at a weigh station that is in
14 operation or knowingly evades a weigh station by use of an alternate
15 road or other means.

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

19 SECTION 2. This Act takes effect September 1, 2005.