

By: Staples

S.B. No. 619

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the enforcement of certain standards for commercial
3 motor vehicles.

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

5 SECTION 1. Section 621.001, Transportation Code, is amended
6 by adding Subdivision (12) to read as follows:

7 (12) "Port of entry" means a place designated by
8 executive order of the president of the United States, by order of
9 the United States secretary of the treasury, or by act of the United
10 States Congress at which a customs officer is authorized to accept
11 entries of merchandise, collect duties, and enforce customs and
12 navigation laws. The term includes a publicly owned or privately
13 owned international port of entry between this state and the United
14 Mexican States.

15 SECTION 2. Section 621.408(b), Transportation Code, is
16 amended to read as follows:

17 (b) If a noncommissioned employee weighs a vehicle under
18 Section 621.402 and determines that an enforcement action, such as
19 the issuance of a citation, is warranted, the employee may take
20 enforcement action only if the employee is under the supervision of
21 an officer of the Department of Public Safety [~~only a supervising~~
22 ~~officer may take the action~~].

23 SECTION 3. Section 644.001, Transportation Code, is amended
24 by adding Subdivision (7) to read as follows:

1 (7) "Port of entry" has the meaning assigned by
2 Section 621.001.

3 SECTION 4. Section 644.103(d), Transportation Code, is
4 amended to read as follows:

5 (d) A noncommissioned employee of the department who is
6 certified for the purpose by the director and who is supervised by
7 an officer of the department may, at a fixed-site facility, stop,
8 enter, or detain a motor vehicle that is subject to this chapter.
9 If the employee's inspection shows that an enforcement action, such
10 as the issuance of a citation, is warranted for a violation of this
11 title or a rule adopted under this title, including a federal safety
12 regulation adopted under this chapter, the noncommissioned
13 employee may take enforcement action only if the employee is under
14 the supervision of an officer of the department.

15 SECTION 5. This Act takes effect September 1, 2005.