

By: Gonzalez Toureilles

H.B. No. 3143

A BILL TO BE ENTITLED

1 AN ACT

2 relating to weight limits on a vehicle loaded with certain
3 agricultural products.

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

5 SECTION 1. Section 621.508, Transportation Code, is amended
6 to read as follows:

7 Sec. 621.508. AFFIRMATIVE DEFENSE FOR OPERATING VEHICLE
8 OVER MAXIMUM ALLOWABLE [~~AXLE~~] WEIGHT. It is an affirmative defense
9 to prosecution of, or an action under Subchapter F for, the offense
10 of operating a vehicle with a gross weight, single axle weight, or
11 tandem axle weight heavier than the [~~axle~~] weight authorized by law
12 that at the time of the offense the vehicle:

13 (1) had a gross weight, single axle weight, or tandem
14 axle weight that was not heavier than the [~~axle~~] weight authorized
15 by law plus 12 percent;

16 (2) was loaded with timber, pulp wood, wood chips, or
17 cotton, livestock, or other agricultural products that are:

18 (A) in their natural state; and

19 (B) being transported from the place of
20 production to the place of first marketing or first processing; and

21 (3) was not being operated on a portion of the national
22 system of interstate and defense highways.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.