

By: Jones

H.B. No. 4186

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

(1) had either:

(A) a single axle weight or tandem axle weight that was not heavier than the axle weight authorized by law plus 12 percent; or

(B) a combination of single axle weights and tandem axle weights heavier than the axle weight authorized by law, so long as each axle weight or tandem axle weight does not exceed the axle weight authorized by law plus six percent;

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

(A) in their natural state; and

(B) being transported from the place of

1 production to the place of first marketing or first processing; and
2 (3) was not being operated on a portion of the national
3 system of interstate and defense highways.

4 SECTION 2. This Act takes effect September 1, 2009.