

By: Jones

H.B. No. 4186

A BILL TO BE ENTITLED

AN ACT

1
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 to
9 prosecution of, or an action under Subchapter F for, the offense of
10 operating a vehicle with a gross [~~single axle~~] weight [~~or tandem~~
11 ~~axle weight~~] heavier than the [~~axle~~] weight authorized by law that
12 at the time of the offense the vehicle:

13 (1) had a gross [~~single axle~~] weight [~~or tandem axle~~
14 ~~weight~~] that was not heavier than the [~~axle~~] weight authorized by
15 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 September 1, 2009.