

AN ACT

relating to the authority to set maximum weights for state highways, roads, and bridges.

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

SECTION 1. Section 621.102, Transportation Code, is amended to read as follows:

Sec. 621.102. ~~[COMMISSION'S]~~ AUTHORITY TO SET MAXIMUM WEIGHTS. (a) The director ~~[commission]~~ may set the maximum single axle weight, tandem axle weight, or gross weight of a vehicle, or maximum single axle weight, tandem axle weight, or gross weight of a combination of vehicles and loads, that may be moved over a state highway or a farm or ranch road if the director ~~[commission]~~ finds that heavier maximum weight would rapidly deteriorate or destroy the road or a bridge or culvert along the road. A maximum weight set under this subsection may not exceed the maximum set by statute for that weight.

(b) ~~[The commission must set a maximum weight under this section by order entered in its minutes.]~~

~~[(c)]~~ The director ~~[commission]~~ must make the finding under this section on an engineering and traffic investigation and in making the finding shall consider the width, condition, and type of pavement structures and other circumstances on the road.

(c) ~~[(d)]~~ A maximum weight or load set under this section becomes effective on a highway or road when appropriate signs

1 giving notice of the maximum weight or load are erected on the
2 highway or road [~~under order of the commission~~].

3 (d) [~~(e)~~] A vehicle operating under a permit issued under
4 Section 623.011, 623.071, 623.094, 623.121, 623.142, 623.181,
5 623.192, or 623.212 may operate under the conditions authorized by
6 the permit over a road for which the director [~~commission~~] has set a
7 maximum weight under this section.

8 (e) [~~(f)~~] For the purpose of this section, a farm or ranch
9 road is a state highway that is shown in the records of the
10 commission to be a farm-to-market or ranch-to-market road.

11 (f) [~~(g)~~] This section does not apply to a vehicle
12 delivering groceries, farm products, or liquefied petroleum gas.

13 SECTION 2. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 3309 was passed by the House on May 3, 2011, by the following vote: Yeas 140, Nays 4, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3309 was passed by the Senate on May 24, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor