

By: Rodriguez

H.B. No. 3309

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority to set maximum weights for state  
3 highways, roads, and bridges.

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

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

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

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

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

23 (c) [~~(d)~~] A maximum weight or load set under this section  
24 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.