

By: Fletcher

H.B. No. 3550

A BILL TO BE ENTITLED

AN ACT

relating to imposing a law enforcement fee on certain commercial motor vehicle offenses.

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

SECTION 1. Sec. 621.503. PROHIBITION OF LOADING MORE THAN WEIGHT LIMITATION. ~~(a)~~ A person may not load, or cause to be loaded, a vehicle for operation on a public highway of this state that exceeds the weight limitations for operation of that vehicle provided by Section 621.101.

~~(b) Intent to violate a limitation is presumed if the weight of the loaded vehicle is heavier than the applicable axle or gross weight limit by 15 percent or more.~~

~~(c) This section does not apply to the loading of an agricultural or a forestry commodity before the commodity is changed in processing from its natural state.~~

SECTION 2. Sec. 621.5061. LAW ENFORCEMENT FEE. (a) person is subject to a law enforcement fee if the person:

(1) loads a vehicle or causes a vehicle to be loaded in violation of Section 621.503; or

(2) provides false information on a certification of weight in violation of Section. 623.272; or

(3) operates or loads an overweight vehicle in violation of Section 621.506(a)(1) or (a)(2); or

(4) uses or allows a motor vehicle to be used in the

1 commission of a felony involving the manufacture, distribution, or
2 dispensing of a controlled substance, or possession with intent to
3 manufacture, distribute or dispense a controlled substance, in
4 violation of Transportation Code 522.081(d)(2); or

5 (5) uses or allows a motor vehicle to be used in the
6 commission of an offense under 8 U.S.C. Section 1324 that involves
7 the transportation, concealment, or harboring of an alien in
8 violation of Transportation Code Section 522.081(d)(4).

9 (b) A person convicted of an offense punishable as a
10 Misdemeanor under Chapter 621.503, 621.506 or 623.272,
11 Transportation Code, shall pay \$500 on conviction of each offense.

12 (b-1) A person convicted of an offense punishable as under
13 Transportation Code Section 522.081(d)(2) or Section
14 522.081(d)(4), shall pay \$2000 on conviction of each offense.

15 (c) The comptroller shall deposit the money collected under
16 this article in the state treasury to the credit of the general
17 revenue fund to be used for law enforcement purposes.

18 SECTION 3. The change in law made by this Act applies only
19 to an offense committed on or after the effective date of this Act.
20 An offense committed before the effective date of this Act is
21 covered by the law in effect when the offense was committed, and the
22 former law is continued in effect for that purpose. For purposes of
23 this section, an offense was committed before the effective date of
24 this Act if any element of the offense occurred before that date.

25 SECTION 4. This Act takes effect September 1, 2011.