

By: Seliger

S.B. No. 1604

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 GROSS WEIGHT OR 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 gross [~~single axle~~] weight or [~~tandem~~] axle weight heavier than the gross weight or axle weight authorized by law that at the time of the offense the vehicle:

(1) had a gross [~~single axle~~] weight [~~or tandem axle weight~~] that was not heavier than the [~~axle~~] weight authorized by law plus 10 [~~12~~] 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 production to the place of first marketing or first processing; and

(3) was not being operated on a portion of the national system of interstate and defense highways.

SECTION 2. This Act takes effect September 1, 2011.