

By: Kacal

H.B. No. 2142

A BILL TO BE ENTITLED

AN ACT

relating to oversize or overweight vehicles transporting livestock feed, grain, or grain by-products.

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

SECTION 1. Section 621.508(a), Transportation Code, is amended to read as follows:

(a) It is an affirmative defense to prosecution of, or an action under Subchapter F for, the offense of operating a vehicle with a single axle weight or tandem axle weight heavier than the axle weight authorized by law that at the time of the offense the vehicle:

(1) had a single axle weight or tandem axle weight that was not heavier than the axle weight authorized by law plus 12 percent;

(2) was loaded with:

(A) timber, pulp wood, wood chips, ~~[or]~~ cotton, livestock, livestock feed, grain, or grain by-products; or

(B) other agricultural products that are:

(i) ~~[(A)]~~ in their natural state; and

(ii) ~~[(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.

1           SECTION 2. Section [621.508\(a\)](#), Transportation Code, as  
2 amended by this Act, applies only to an offense committed on or  
3 after the effective date of this Act. An offense committed before  
4 the effective date of this Act is governed by the law in effect on  
5 the date the offense was committed, and the former law is continued  
6 in effect for that purpose. For purposes of this section, an offense  
7 was committed before the effective date of this Act if any element  
8 of the offense occurred before that date.

9           SECTION 3. This Act takes effect September 1, 2017.