

BILL ANALYSIS

Senate Research Center
87R17599 JRR-F

H.B. 4073
By: Smith (Kolkhorst)
Transportation
5/18/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have been raised regarding the enforcement of overweight vehicles operating on certain highways and roads for which the executive director of the Texas Department of Transportation (TxDOT) has set maximum weight limits when safety issues require a lower limit. It has been noted that the graduated fine schedule applicable to overweight vehicle violations is not currently applicable to overweight vehicles operating on these roads, which allows the vehicle operators to avoid the fine assessments considered appropriate for similar vehicles on other roads.

H.B. 4073 amends the Transportation Code to prohibit a person from operating a vehicle or combination of vehicles on a state highway or a farm or ranch road for which the executive director of TxDOT has set a maximum weight if the weight of the vehicle or combination exceeds the maximum weight set by the executive director. The bill includes a violation of this prohibition in the scope of the offense of unlawfully operating an overweight vehicle and the related penalties.

H.B. 4073 amends current law relating to the operation of a vehicle or combination of vehicles on a state highway or farm or ranch road at a weight that exceeds the maximum weight authorized for the road, and imposes a criminal penalty.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 621.102, Transportation Code, by adding Subsection (g), as follows:

(g) Prohibits a person, except as provided by Subsection (d) (relating to authorizing a vehicle operating under a permit to operate under the conditions authorized by the permit over a road for which the executive director of the Texas Department of Transportation (TxDOT) has set a maximum weight), from operating a vehicle or combination of vehicles on a road for which the executive director of TxDOT has set a maximum weight under Section 621.102 (Authority to Set Maximum Weights) if the weight of the vehicle or combination of vehicles exceeds the maximum weight set by the executive director.

SECTION 2. Amends Section 621.506(a), Transportation Code, to provide that a person commits an offense if the person operates a vehicle or combination of vehicles in violation of certain sections, including Section 621.102.

SECTION 3. Effective date: September 1, 2021.