

BILL ANALYSIS

C.S.H.B. 4073
By: Smith
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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 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. C.S.H.B. 4073 seeks to remedy this situation by prohibiting the operation of overweight vehicles on these roads and including this violation among those to which the graduated fine schedule applies.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.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 the Texas Department of Transportation (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.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4073 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes an explicit prohibition against operating a vehicle or combination of vehicles on a state highway or a farm or ranch road for which the TxDOT executive director has

set a maximum weight if the weight of the vehicle or combination exceeds that maximum set weight, which was not included in the original.