

## **BILL ANALYSIS**

C.S.H.B. 4535  
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Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised that vehicles with shifting loads, particularly those used to ship aggregate material, violate current single and tandem axle weight limits and are ticketed for that violation despite being under the overall gross weight limit. There have been calls to ease the ticketing of vehicles transporting shifting loads by providing a tolerance allowance of 15 percent for the maximum single and tandem axle weight limits. C.S.H.B. 4535 seeks to address this issue by providing such an allowance for certain vehicles transporting commonly recognized construction material that may shift during transit.

### **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. 4535 amends the Transportation Code to authorize a vehicle or combination of vehicles that is transporting aggregates, as defined by the Water Code, over or on a public highway or at a port-of-entry between Texas and the United Mexican States to operate at an axle weight that is not heavier than 20,000 pounds or a tandem axle weight not heavier than 34,000 pounds, including all enforcement tolerances, plus a tolerance allowance of 15 percent of that allowable weight.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 4535 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.

Whereas the original exempted vehicles transporting items that have a reasonable possibility of shifting during transit over or on a public highway or at certain ports-of-entry from maximum single axle and tandem axle weight requirements, the substitute authorizes a vehicle or combination of vehicles instead transporting aggregates in that manner to operate at an axle weight not heavier than the weight equal to that respective maximum allowable axle weight plus a tolerance allowance of 15 percent of that allowable weight.