

BILL ANALYSIS

S.B. 2199
By: Birdwell
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to the Department of Public Safety, cartels and foreign terrorist organizations control the Mexican toll roads adjacent to the Texas-Mexico border and require extortion payments when a truck crosses into Mexico, causing Mexican fuel haulers to overload trucks in order to decrease the number of trucks crossing. As a result, Texas law enforcement officers have intercepted trucks hauling fuel in excess of what they are permitted to carry. The bill sponsor has informed the committee that a weight violation, especially involving the movement of fuel, can pose significant risks to public safety. S.B. 2199 seeks to address this dangerous practice by increasing the criminal penalty for the overloading of certain vehicles that are transporting fuel or other hazardous materials.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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

S.B. 2199 amends the Transportation Code to increase the criminal penalty for an offense of loading or causing to be loaded a vehicle in excess of the size and weight limitations for operation of that vehicle provided by applicable state law from a misdemeanor punishable by fine to a second degree felony if the offense involves a vehicle with at least three axles that is transporting fuel or other hazardous materials in a cargo tank, as defined by reference to Tax Code provisions relating to motor fuel taxes, and was loaded at a weight that exceeds the weight limitations authorized for the vehicle.

S.B. 2199 applies only to an offense committed on or after the bill's effective date. An offense committed before the bill's effective date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date.

EFFECTIVE DATE

September 1, 2025.