

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 2200
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Border Security
4/10/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the interim, the Senate Committee on Border Security heard testimony relating to the increase in criminal activity involving motor fuel and Mexican cartels, including fuel theft, overweight and off-route fuels trucks, unregulated fuel depots, and transloading operations. For overweight trucks transporting export materials, oversize/overweight (OS/OW) corridors provide the most direct route from the ports to the international bridges. OS/OW permits can be obtained online and must be presented at the port before a truck is loaded with product. These permits provide the most direct route for transporting goods as well as cover the cost of roadway damage.

Recently, law enforcement agencies have noticed an uptick in criminal activity related to motor fuel, including the increase of truckers failing to adhere to their permitted route on an overweight corridor. The failure to remain on designated OS/OW routes poses serious risks to public safety, environmental standards, and can negatively impact state commerce. Under S.B. 2200, departure from the route designated under an OS/OW permit while hauling fuel or other hazardous materials is a second degree felony offense.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2200 amends current law relating to a prohibition on the operation or movement of certain overweight vehicles transporting hazardous materials under certain circumstances and creates a criminal offense.

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 Subchapter G, Chapter 621, Transportation Code, by adding Section 621.512, as follows:

Sec. 621.512. OPERATION OR MOVEMENT OF CERTAIN OVERWEIGHT VEHICLES TRANSPORTING HAZARDOUS MATERIALS PROHIBITED UNDER CERTAIN CIRCUMSTANCES. (a) Provides that a person commits an offense if the person operates or moves an overweight vehicle described by Subsection (b) on a public highway:

(1) that is not include in the route designated under the permit under which the vehicle is operating; or

(2) without a permit authorizing the movement of the vehicle and the vehicle exceeds the maximum gross weight authorized for the vehicle by at least five percent.

(b) Provides that Subsection (a) applies only to an overweight vehicle with three axles that is transporting in a cargo tank hazardous materials in a quantity

requiring placarding by a regulation issued under the Hazardous Materials Transportation Act (49 U.S.C. Section 5101 et. seq.).

(c) Provides that an offense under this section is a felony of the second degree.

(d) Provides that it is an affirmative defense to prosecution of an offense under this section that, at the time of the offense, the vehicle was being operated or moved under the immediate direction of a law enforcement agency.

(e) Provides that it is an affirmative defense to prosecution of an offense under Subsection (a)(1) that, at the time of the offense, the vehicle was being operated or moved in compliance with a permit authorizing the movement of the vehicle issued by the Texas Department of Motor Vehicles or a political subdivision of this state.

SECTION 2. Effective date: September 1, 2025.