

By: Virdell

H.B. No. 1384

A BILL TO BE ENTITLED

AN ACT

relating to the enforcement of certain standards for commercial motor vehicles.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 621.402(a) and (c), Transportation Code, are amended to read as follows:

(a) A weight enforcement officer who has probable cause ~~[reason]~~ to believe that the single axle weight, tandem axle weight, or gross weight of a loaded motor vehicle is unlawful may:

(1) weigh the vehicle using portable or stationary scales furnished or approved by the Department of Public Safety; or

(2) require the vehicle to be weighed by a public weigher.

(c) A noncommissioned employee of the Department of Public Safety who is certified for the purpose by the public safety director and who is supervised by an officer of the Department of Public Safety may, in a port of entry or at a commercial motor vehicle inspection site, weigh a vehicle, require the vehicle to be weighed, or require a vehicle to be driven to the nearest scale under Subsections (a) and (b) only if the employee has probable cause to believe that the single axle weight, tandem axle weight, or gross weight of a loaded motor vehicle is unlawful.

SECTION 2. Section 644.103, Transportation Code, is amended by amending Subsections (a), (b), and (d), and adding Subsection

1 (b-1) to read as follows:

2 (a) An officer of the department may stop, enter, or detain
3 on a highway or at a port of entry a motor vehicle that is subject to
4 this chapter only if the officer has probable cause to believe the
5 vehicle or operator of the vehicle is in violation of this title or
6 a rule adopted under this title, including a federal safety
7 regulation adopted under this chapter.

8 (b) A municipal police officer who is certified under
9 Section 644.101 may stop, enter, or detain on a highway or at a port
10 of entry within the territory of the municipality a motor vehicle
11 that is subject to this chapter only if the municipal police officer
12 has probable cause to believe the vehicle or operator of the vehicle
13 is in violation of this title or a rule adopted under this title,
14 including a federal safety regulation adopted under this chapter.

15 (b-1) A sheriff or deputy sheriff who is certified under
16 Section 644.101 may stop, enter, or detain on a highway or at a port
17 of entry within the territory of the county a motor vehicle that is
18 subject to this chapter only if the sheriff or deputy sheriff has
19 probable cause to believe the vehicle or operator of the vehicle is
20 in violation of this title or a rule adopted under this title,
21 including a federal safety regulation adopted under this chapter.

22 (d) A noncommissioned employee of the department who is
23 certified for the purpose by the director and who is supervised by
24 an officer of the department may, at a commercial motor vehicle
25 inspection site, stop, enter, or detain a motor vehicle that is
26 subject to this chapter only if the noncommissioned employee has
27 probable cause to believe the vehicle or operator of the vehicle is

1 in violation of this title or a rule adopted under this title,
2 including a federal safety regulation adopted under this chapter.

3 If the employee's inspection shows that an enforcement action, such
4 as the issuance of a citation, is warranted for a violation of this
5 title or a rule adopted under this title, including a federal safety
6 regulation adopted under this chapter, the noncommissioned
7 employee may take enforcement action only if the employee is under
8 the supervision of an officer of the department.

9 SECTION 3. This Act takes effect September 1, 2025.