BILL ANALYSIS

Senate Research Center

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S.B. 1428
By: Nelson
State Affairs
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As Filed

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DIGEST

Currently, Chapter 621 of the Texas Transportation Code sets forth the allowed weight, height, and size of vehicles on public highways and defines a weight enforcement officer as a license and weight inspector of the Department of Public Safety, a highway patrol officer, a sheriff or sheriff's deputy, or a municipal police officer in a municipality with a population of 100,00 or more. Overweight trucks cause millions of dollars in damage to Texas roads annually, making improved weight enforcement measures a priority. S.B. 1428 would give all municipal police officers and a constable in a municipality with a population of less than 400,000 the authority to enforce weight regulations. In addition, this legislation would remove the exclusive authority of weight enforcement officers to enforce weight restrictions in the territory of a municipality with a population of more than 100,000.

PURPOSE

As proposed, S.B. 1428 provides for the enforcement of vehicle weight laws in certain municipalities.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 621.401, Transportation Code, to redefine "weight enforcement officer" to mean a municipal police officer, rather than a municipal police officer in a municipality with a population of 100,000 or more; or a constable in a municipality with a population of less than 400,000.

SECTION 2. Amends Section 621.408, Transportation Code, to provide that weight enforcement officers have exclusive authority to enforce this subchapter in any area of this state, with certain exceptions. Deletes the provision granting weight enforcement officers exclusive authority to enforce this subchapter in any area of this state other than in the territory of a municipality with a population of more than 100,000.

SECTION 3. Emergency clause.
Effective date: upon passage.