

1-1 By: Birdwell S.B. No. 2200  
1-2 (In the Senate - Filed March 11, 2025; March 24, 2025, read  
1-3 first time and referred to Committee on Border Security;  
1-4 April 14, 2025, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 14, 2025,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

1-8		Yea	Nay	Absent	PNV
1-9	Birdwell	X			
1-10	Flores	X			
1-11	Eckhardt	X			
1-12	Hinojosa of Nueces	X			
1-13	Hinojosa of Hidalgo	X			

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 2200 By: Birdwell

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to a prohibition on the operation or movement of certain  
1-18 overweight vehicles transporting hazardous materials under certain  
1-19 circumstances; creating a criminal offense.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Subchapter G, Chapter 621, Transportation Code,  
1-22 is amended by adding Section 621.512 to read as follows:

1-23 Sec. 621.512. OPERATION OR MOVEMENT OF CERTAIN OVERWEIGHT  
1-24 VEHICLES TRANSPORTING HAZARDOUS MATERIALS PROHIBITED UNDER CERTAIN  
1-25 CIRCUMSTANCES. (a) A person commits an offense if the person  
1-26 operates or moves an overweight vehicle described by Subsection (b)  
1-27 on a public highway:

1-28 (1) that is not included in the route designated under  
1-29 the permit under which the vehicle is operating; or

1-30 (2) without a permit authorizing the movement of the  
1-31 vehicle and the vehicle exceeds the maximum gross weight authorized  
1-32 for the vehicle by at least five percent.

1-33 (b) Subsection (a) applies only to an overweight vehicle  
1-34 with three axles that is transporting in a cargo tank hazardous  
1-35 materials in a quantity requiring placarding by a regulation issued  
1-36 under the Hazardous Materials Transportation Act (49 U.S.C. Section  
1-37 5101 et seq.).

1-38 (c) An offense under this section is a felony of the second  
1-39 degree.

1-40 (d) It is an affirmative defense to prosecution of an  
1-41 offense under this section that, at the time of the offense, the  
1-42 vehicle was being operated or moved under the immediate direction  
1-43 of a law enforcement agency.

1-44 (e) It is an affirmative defense to prosecution of an  
1-45 offense under Subsection (a)(1) that, at the time of the offense,  
1-46 the vehicle was being operated or moved in compliance with a permit  
1-47 authorizing the movement of the vehicle issued by the department or  
1-48 a political subdivision of this state.

1-49 SECTION 2. This Act takes effect September 1, 2025.

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