

**Procedures and Regulations Governing
Heavy Load Permits and Bonding**

**Cuca Tamayo
Permit Coordinator
Brazoria County**

Why it's important to have an Over Weight permit ordinance in place.

- ❖ There is overwhelming evidence that overweight trucks are damaging our County's roads.
- ❖ To protect our County Roads & Bridges.
- ❖ To ensure Individuals and/or Company's pay for damages done to County Roads & Bridges.

- ❖ The Brazoria County Engineering Department and the Brazoria County Sheriff's Office have formed a partnership in law enforcement. The Weight Scale Enforcement Program, targeting overweight semi-tractor trailers and other commercial trucks on our County's roads, has been initiated. The program is designed to decrease road damage from overweight trucks and to increase public safety.

Brazoria County's Weight Scale Enforcement Program includes two (2) Brazoria County Sheriff Deputies who have access to portable weight scales that will assist in enforcing the program's goals.

d. This intergovernmental approach will help to eliminate this countywide problem, ensuring that our roads and motorists' safety are continually protected.

• **No permit fee**

UNITED STATES GOVERNMENT

OFFICE OF THE SECRETARY OF DEFENSE

DEPARTMENT OF DEFENSE

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-11-2001 BY 60322 UCBAW

1. NAME (Last, first, middle initial)
2. ADDRESS (Street, city, state, and ZIP code)
3. PHONE NUMBER (Area code and number)
4. DATE OF BIRTH (Month, day, year)
5. SEX (Male or female)
6. RACE (White, Black, Hispanic, Asian, American Indian, or Other)
7. EDUCATION (High school, college, or postgraduate)
8. OCCUPATION (Current and previous)
9. MARITAL STATUS (Single, married, divorced, or widowed)
10. NUMBER OF CHILDREN (If any, list names and birth dates)

11. SOCIAL SECURITY NUMBER (If known)
12. MILITARY SERVICE (Branch, service number, and dates)
13. CRIMINAL RECORD (If any, list offenses and dates)
14. PSYCHIATRIC RECORD (If any, list diagnoses and treatments)
15. OTHER RELEVANT INFORMATION (If any, list details)

16. SIGNATURE (Printed name)
17. DATE (Month, day, year)
18. AGENT (Name and title)
19. OFFICE (Name and address)
20. TELEPHONE (Area code and number)

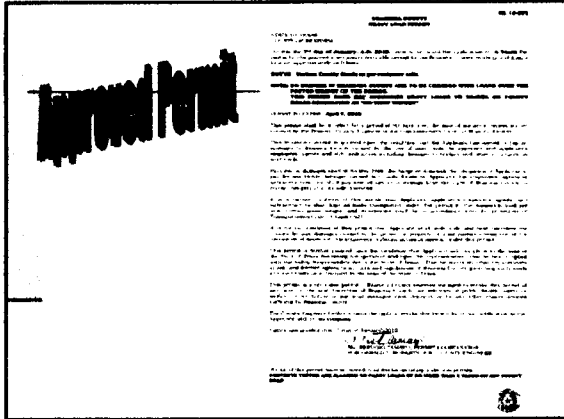
21. COMMENTS (If any, list details)
22. REFERENCES (If any, list names and addresses)
23. ATTACHMENTS (If any, list descriptions)
24. DISTRIBUTION (If any, list names and addresses)
25. INDEXING (If any, list details)

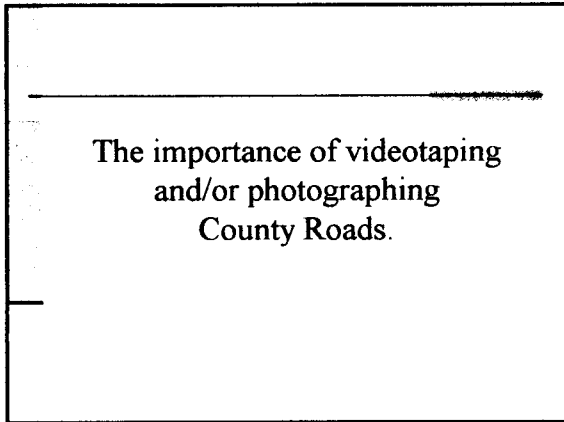
26. SUMMARY (If any, list details)
27. CONCLUSIONS (If any, list details)
28. RECOMMENDATIONS (If any, list details)

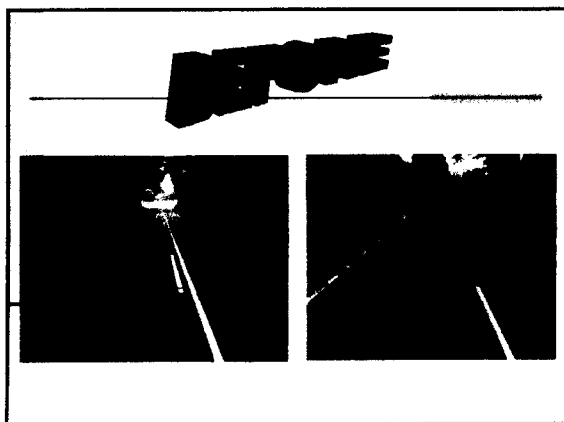
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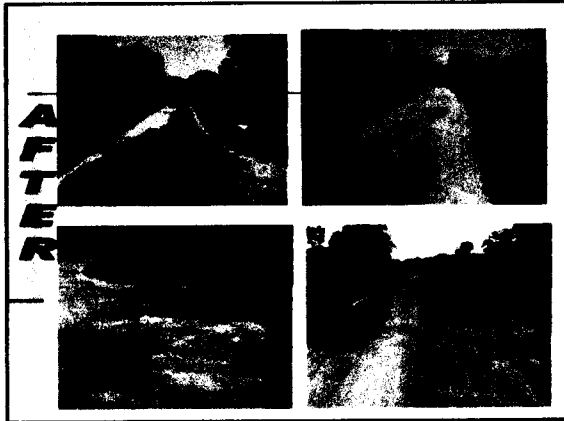
- 4. **Review submitted documents**
- 5. **Review Route**
- 6. **Approve, Deny, or Re-route**
- 7. **Video tape and/or photograph County Roads before and after road access**

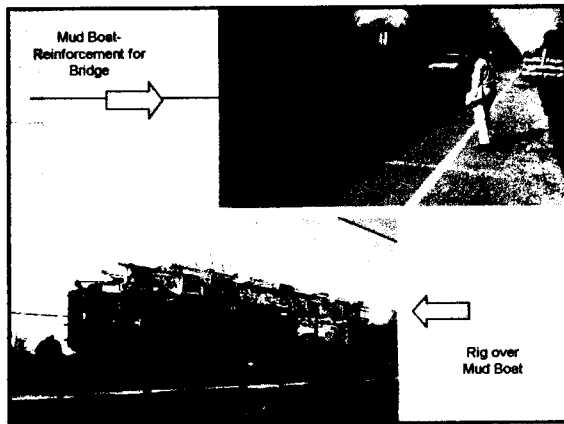
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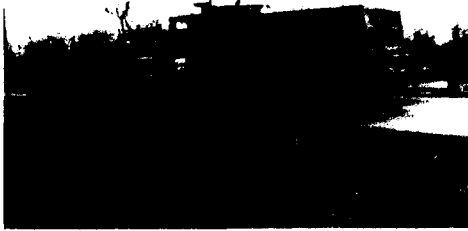




What are the consequences for failing to obtain a permit?

- Citation for failure to obtain a County permit
- Cease all trucks traveling to and from site until permit is acquired

The importance of Law Enforcement



Load zone bridge
No Thru Truck zone

Collection of damages

- Damage estimate sent to:
Company/Individual and Bond Company
- History of Money Collected:
 - 95% successful
 - 4% negotiated
 - 1% litigation

Questions/Comments

Cuca Tamayo
Permit Coordinator
Brazoria County



451 N. Velasco, Ste 230
Angleton, TX 77515
979-864-1266
979-864-1270/Fax

cucatu@brazoria-county.com

<http://www.brazoria-county.com/engineer/aboutpermits>

Workshop
38

**ORDER NO. 56 RE: CONSIDER ADOPTING PROCEDURES AND
REGULATIONS GOVERNING HEAVY LOAD PERMITS
AND BONDING REQUIREMENTS**

Motion by Commissioner Harris, seconded by Commissioner Clawson, that the following action be taken by the Court:

1. Brazoria County desires to adopt procedures and regulations governing heavy load permits and bonding requirements.
2. The procedures and regulations made in the attached Order, attached are consistent with the general purpose of Chapter 621, 622k and 623 of the *Texas Transportation Code*,

NOW, THEREFORE, IT IS HEREBY ORDERED by the Commissioners' Court of Brazoria County, Texas that the attached Order, entitled "Procedures and Regulations Governing Heavy Load Permits and Bonding Requirements," the same being hereby incorporated fully by reference herein, be and is hereby adopted, effective immediately and supercedes the Brazoria County Order No. 22 dated January 12, 1987; Order No. 17 dated April 24, 1989; Order No. 22 dated May 29, 1990; Order No. 24 dated March 11, 1991; and Order No. 24 dated March 22, 1993, and any other Order dealing with permitting heavy loads on county roads.

Motion carried, all present voting aye.

STATE OF TEXAS)

COUNTY OF BRAZORIA)

I, Joyce Hudman, Clerk County Court and Ex-Officio Clerk of the Commissioners' Court of Brazoria County, Texas, do hereby certify that the foregoing is a true and correct copy of that certain:

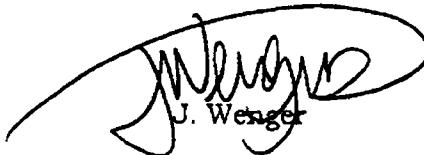
**ORDER NO. 56 RE: CONSIDER ADOPTING PROCEDURES AND
REGULATIONS GOVERNING HEAVY LOAD PERMITS
AND BONDING REQUIREMENTS**

as passed by the Commissioners' Court on the 13TH day of APRIL, A.D., 2004, SPECIAL Term of Commissioners' Court and as the same appear (s) in the Commissioners' Court Records of Brazoria County, Texas.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13TH DAY OF
APRIL, A. D., 2004**

JOYCE HUDMAN, Clerk County Court
and Ex-Officio Member of the Commissioners'
Court of Brazoria County, Texas

By


J. Wenger

Deputy

**ORDER ADOPTING PROCEDURES AND REGULATIONS
GOVERNING HEAVY LOAD PERMITS AND BONDING REQUIREMENTS**

**Section 1
SCOPE AND PURPOSE**

- 1.1 Under Section 623.018 of the *Texas Transportation Code*, the Commissioners Court of Brazoria County adopts these procedures for the transportation of overweight, oversize or overlength equipment, which cannot reasonably be dismantled, on all county roads or highways of Brazoria County, Texas, other than state highways and public roads in a municipality's territory.
- 1.2 The procedures provided for herein are not intended, nor shall they be construed, to limit in any way other remedies, causes of action, or rights provided for by law.
- 1.3 It is the purpose of these procedures to restrict and regulate the size and weight of vehicles operating upon Brazoria County public roads. Additionally, these ordinances will provide the County with a procedure and mechanism to recover money by collecting on an operator's bond or filing an action on the operator to repair any damages to Brazoria County roads.
- 1.4 This ordinance establishes standards consistent with Chapters 621, 622, and 623 of the *Texas Transportation Code*.

**Section 2.
DEFINITIONS**

- 2.1 As used in this Order, the words and terms defined in this section shall have the meanings described below, unless the context clearly indicates another meaning.
 - A. **BRAZORIA COUNTY ROADS:** All Roads, Highways, or Bridges accepted into the Brazoria County Road System. A map of all Brazoria County Roads is available in the County Engineer's Office.
 - B. **CFR:** Code of Federal Regulations.
 - C. **TAC:** Texas Administrative Code.
 - D. **FEDERAL LAW:** Any statute, act, rule or regulation that has been passed or approved by any agency or department of the United States of America, including Congress.
 - E. **STATE LAW:** Any statute, act, rule or regulation that has been passed or approved by any agency or department of the State of Texas, including the Texas Legislature.

- F. **PERSON:** An individual, association, partnership, corporation, municipality, State or Federal Agency, or an agent or employee thereof.
- G. **COMMERCIAL MOTOR VEHICLE:** A motor vehicle, other than a motorcycle, designed or used for [Tex. Transp. C. § 621.001(b)]:
- 1) the transportation of property; or
 - 2) delivery purposes.
- H. **DEPARTMENT:** The Texas Department of Transportation.
- I. **MOTOR VEHICLE:** A vehicle that is self propelled.
- J. **SEMITRAILER:** A vehicle without motive power that is designed or used with a motor vehicle, so that some of its weight and the weight of its load rests on or is carried by the motor vehicle.
- K. **TRAILER:** A vehicle without motive power that is designed or used to carry property or passengers on its own structure exclusively; and drawn by a motor vehicle.
- L. **TRANSPORTER:** A person, entity, or corporation who contracts with a vehicle operator or owner to transport loads in any manner.
- M. **TRUCK-TRACTOR:** A motor vehicle designed or used primarily for drawing another vehicle:
- 1) That is not constructed to carry a load other than a part of the weight of the vehicle and load being drawn; or
 - 2) That is engaged with a semi-trailer in the transportation of automobiles or boats and that transports the automobiles or boats on part of the truck-tractor.
- N. **VEHICLE:** A mechanical device, other than a device moved by human power or used exclusively upon stationary rails or tracks, in, on, or by which a person or property can be transported on a public highway. The term includes a motor vehicle, commercial motor vehicle, truck-tractor, trailer, or semitrailer but does not include manufactured housing as defined by the *Texas Manufactured Housing Standards Act*.
- O. **SINGLE AXLE WEIGHT:** The total weight transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes 40 inches apart, extending across the full width of the vehicle.

- P. **TANDEM AXLE WEIGHT:** The total weight transmitted to the road by two or more consecutive axles whose centers may be included between parallel transverse vertical planes spaced more than 40 inches and not more than 96 inches apart, extending across the full width of the vehicle.

Section 3 AUTHORITY

- 3.1 This Order is passed under Section 623.018 of the *Texas Transportation Code*. Section 623.018 is attached to this Order.
- 3.2 The County Engineer's office is authorized to approve any permits received in the County Engineer's Office for and on behalf of Commissioner's Court. Further, the County Engineer will continue to notify the appropriate County Commissioner's precinct offices of any and all permits. This notice to the precinct offices is considered delivered if the particular service center superintendent is notified of the permit.
- 3.3 The specific reference to any State Laws or Federal Laws does not limit or exclude from incorporation in this Order any other State Laws or Federal Laws not specifically referenced.

Section 4 APPLICABILITY

- 4.1. This Ordinance applies to:
- a. Superheavy or oversize equipment for the transportation of an overweight, oversize, or overlength commodity that cannot be reasonably dismantled.
 - b. Vehicles or combinations of vehicles exceeding the weights authorized under Subchapter B, Chapter 621, or section 621.301.
 - c. A vehicle operating under a permit issued under Section 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192, or 623.212 may operate under the conditions authorized by the permit over a road for which the commissioners court has set a maximum weight under Section 621.301.
 - d. A ready-mixed concrete truck over a public highway maintained by the county or a municipality. TEX. TRANSP. CODE § 622.014(a).
- 4.2 *Regulating Bridges.* Section 621.301 of the *Transportation Code* provides that the commissioner's court may establish load limits for any county road or bridge with the concurrence of the Department. Additionally, the commissioner's court may limit the maximum weights to be moved on or over a county road, bridge, or culvert by exercising its authority under this subsection in the same manner and under the same conditions provided by Section 621.102 for the commission to limit maximum weights on highways and roads to which that section applies. With this ordinance, the court authorizes the Engineer's Department to establish the aforementioned load and weight limits.

- 4.3 *State-permitted vehicles.* If a vehicle has a permit issued for Brazoria County under Section 623.011, no Brazoria County permit or fee is required concerning the regulating or restricting a vehicle because of weight. If a vehicle has a state permit restricting it to non-County roads, the vehicle must comply with this ordinance if it travels over Brazoria County Roads. Brazoria County will not require these state-permitted vehicles to execute or comply with a road use agreement or indemnity agreement, to make a filing or application, or to provide a bond or letter of credit other than the bond or letter of credit prescribed by Section 623.012. State-permitted vehicles, however, are required to notify the County Engineer's office if they are to travel on any Brazoria County bridge.
- 4.4 *State-permitted vehicles use of bridges.* Under Section 623.0113, a vehicle with a State permit under Section 623.011 is not authorized to operate on a bridge for which a maximum weight and load limit has been established and posted by the Brazoria County Commissioners Court under Section 621.301, if the gross weight of the vehicle and load or the axles and wheel loads are greater than the limits established and posted under those sections, unless the bridge provides the only public vehicular access from an origin or to a destination by a State permit-holder. Tex. Transp. C. § 623.0113(b).
- 4.5 *Bridges/Posted Road.* Permitted vehicles may operate on any load zoned road or bridge, but may not exceed the posted weight limits thereon by more than 5%. The vehicle must be registered for the maximum amount of weight allowed for this vehicle in order for the permit to be valid.

Section 5 GENERAL REQUIREMENTS

- 5.1 Every commercial vehicle traveling on Brazoria County roads, which does not have a permit from the State of Texas, must be covered by a permit issued by Brazoria County if the vehicle has [see Tex. Transp. Code § 621.101]:
- a. a single axle weight heavier than 20,000 pounds, including all enforcement tolerances;
 - b. a tandem axle weight heavier than 34,000 pounds, including all enforcement tolerances; or

- c. an overall gross weight on a group of two or more consecutive axles heavier than the weight computed using the following formula and rounding the result to the nearest 500 pounds:

$$W = 500(LN/(N-1)) + 12N + 36$$

where:

"W" is maximum overall gross weight on the group;

"L" is distance in feet between the axles of the group that are the farthest apart; and

"N" is the number of axles in the group.

- 5.2 *Maximum Load Limits.* The weight limits stated in Subchapter B of Chapter 621 of the *Texas Transportation Code* are adopted as the maximum weight limits for purposes of this Ordinance.
- 5.3 *Duties of County Engineer.* The Commissioners Court gives the County Engineer the responsibility to establish load limits for Brazoria County Roads and bridges under Section 621.301 of the *Texas Transportation Code*. These load limits shall be submitted to the Department, which has the right to review and concur in these limits under Section 621.301. These load limits shall be available to all applicants for road permits.

Section 6 PERMITS; RIGHT TO REVOKE

- 6.1 Brazoria County's power to revoke permits is inherent in the permit and cannot be hindered or limited through contract. Brazoria County retains the right to revoke the permit on verbal and/or written notification.
- 6.2 By allowing a permit holder to operate a vehicle over Brazoria County roads when the vehicle exceeds applicable weight limits, Brazoria County is acting within its police power to not only regulate the usage of those roads but also to allow the permit holder to do that which would otherwise be illegal. As such, Brazoria County's grant of authority to the permit holder under section 623.018 is a license/permit instead of a contract, as those terms are used in Texas law.
- 6.3 Brazoria County may, in its discretion, revoke a permit holder's permit for interests of public health, safety or welfare or for failure to comply with the conditions or requirements of the permit, including the failure to pay road damages upon demand, or for any other reason deemed sufficient by Brazoria County and related to legitimate governmental purposes of Brazoria County. A permit may also be revoked for failure to follow the procedures and guidelines of this ordinance and the conditions and requirements of the permit.

- 6.4 Permits may not be issued for longer than 90 days. Tex. Transp. C. § 623.018(b).
- 6.5 Amendments may be made to the permit at the discretion of the County Engineer's office with notice to the permittee.
- 6.6 Upon termination of the permit, the County may make an inspection of the particular road or bridge at-issue in the permit. If repairs or modifications are required to return the road to its original condition, the permittee shall bear the entire expense to return the road to its original condition.
- 6.7 The responsibilities of the permit holder as set forth in the permit shall not be transferred, assigned, or conveyed to a third party without approval of the County Engineer's Office.

Section 7 FINANCIAL RESPONSIBILITY; BONDS

- 7.1 For every vehicle weighing more than 80,000 pounds gross vehicle weight, a \$100,000 bond is required. For every vehicle weighing less than 80,000 pounds of gross vehicle weight, but more than the weights set out in section 5.1 of this ordinance, a \$50,000 bond is required. Only original bonds, permits or letters of credit will be accepted by the County. A facsimile copy of the bond, permit, or letter of credit will not comply with this order. If more than one county-permitted vehicles are working together on a particular project in the county, only one bond is needed.
- 7.2 The bond or letter of credit must include a condition that the owner of the vehicle will pay to the county, within the limit of the bond or letter of credit, any damage to a road caused by the operation of the truck.
- 7.3 Instead of a bond, an entity may secure a permit by providing a letter of credit. All letters of credit must be submitted to the Civil Division of the Brazoria County District Attorney's Office for approval.
- 7.4 A copy of the permit shall be carried on the vehicle at all times when the vehicle is traveling over Brazoria County Roads.
- 7.5 As for ready-mixed concrete trucks, above the bonding requirement to the State of Texas, the commissioners court requires that the owner of a ready-mixed concrete truck file a surety bond for \$15,000. This bond must include a condition that the owner of the truck will pay to Brazoria County any damage to a highway caused by the operation of the truck with a tandem axle weight that is heavier than 34,000 pounds.
- 7.6 A bond can be renewed if a county engineer employee has inspected the roads used by the hauler during the 90-day period and no damage is found. If damage is found, however, a bond can be renewed if payment is made to pay for the repairs (including labor, equipment and material costs).

Section 8
ENFORCEMENT AND PENALTIES

- 8.1 A vehicle's owners, operators, and/or transporters damaging Brazoria County Roads are jointly and severally liable for the costs of repairing the road, including any associated labor or equipment costs. By this Order Brazoria County District Attorney's Office is authorized to bring suit against the vehicle owners, transporter, operators and/or the bond covering the vehicle for these damages. Also by this Order the Brazoria County District Attorney's Office is authorized to present any letter of credit for payment to recover the costs of repairing the road; including any associated labor or equipment costs.
- 8.2 The owner or operator of a vehicle damaging Brazoria County Roads without any permits, will not be issued a Brazoria County permit unless and until the owner or operator secures a bond or letter of credit twice the applicable amount for the vehicle. This penalty will be in place for one year from the date of the original violation.
- 8.3 Where a vehicle has a permit granted by the state (e.g., 1547's or through § 623.011) and the vehicle damages Brazoria County Roads, by this Order the Brazoria County District Attorney is authorized to bring an action to recover on the bond in a suit against the permit holder and the issuer of the bond or letter of credit brought in the district court of Brazoria County under Section 623.016 of the *Texas Transportation Code*.
- 8.4 Any civil suit instituted in accordance with the provisions of this Order may be instituted jointly against the owner, contractor, subcontractor, operator and/or transporter, or may be instituted solely against the owner, solely against the operator, contractor, subcontractor, or solely against the transporter.
- 8.5 *De Minimus Violations.* There are no de minimus violations of this Ordinance.
- 8.6 *Void Permits.* A permit will be voided when the County is informed by law enforcement that a citation has been issued for a violation of a permit's terms and conditions.

Section 9
FORMS

- 9.1 The Brazoria County Engineer's Office shall issue forms that can be used to apply for the permits to use Brazoria County Roads.
- 9.2 The Brazoria County Engineer's Office may provide these forms and this Ordinance over the Internet.
- 9.3 Upon request, a copy of this Ordinance shall be given to each permit applicant.

Section 10
EFFECTIVE DATE

- 10.1 This Order shall be effective on _____.
- 10.2 Brazoria County Order No. 22 dated January 12, 1987; Order No. 17 dated April 24, 1989; Order No. 22 dated May 29, 1990; Order No. 24 dated March 11, 1991; and Order No. 24 dated March 22, 1993, and any other order dealing with permitting heavy loads on county roads are hereby repealed, but are kept in effect for the permits and bonds that were obtained under these Orders. All new bonds, permits, applications, and enforcement actions will be governed by this Order.

Section 623.018 County Permit

(a) The commissioners court of a county, through the county judge, may issue a permit for:

(1) the transportation over highways of that county, other than state highways and public roads in the territory of a municipality, of an overweight, oversize, or overlength commodity that cannot be reasonably dismantled; or

(2) the operation over a highway of that county other than a state highway or public road in the territory of a municipality of:

(A) superheavy or oversize equipment for the transportation of an overweight, oversize, or overlength commodity that cannot be reasonably dismantled; or

(B) vehicles or combinations of vehicles that exceed the weights authorized under Subchapter B, Chapter 621, or Section 621.301.

(b) A permit under Subsection (a) may not be issued for longer than 90 days.

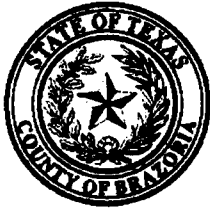
(c) The commissioners court of a county, through the county judge, may issue an annual permit to a dealer in implements of husbandry to allow the dealer to use vehicles that exceed the width limitations provided by this chapter to transport an implement on a highway. The county judge may exercise authority under this subsection independently of the commissioners court until the commissioners court takes action on the request.

(d) If a vehicle has a permit issued under Section 623.011, a commissioners court may not:

(1) issue a permit under this section or charge an additional fee for or otherwise regulate or restrict the operation of the vehicle because of weight; or

(2) require the owner or operator to execute or comply with a road use agreement or indemnity agreement, to make a filing or application; or to provide a bond or letter of credit other than the bond or letter of credit prescribed by Section 623.012.

(e) The commissioners court may require a bond to be executed by an applicant in an amount sufficient to guarantee the payment of any damage to a road or bridge sustained as a consequence of the transportation authorized by the permit.

**BRAZORIA COUNTY**

451 N. Velasco, Suite 230

Angleton, Texas 77515

(979)864-1270- fax

Permit No.: _____

Load Description

Company Name: _____

Phone No.: _____

Contractor: _____

Phone No.: _____

Load Description:														
VIN #:														
Maximum Width		Maximum Height				Maximum Length				Gross Vehicle Weight				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Axle Spacing														
Weights (X 1000)														
Number of Tires														
Tire Size														

Load Description:														
VIN #:														
Maximum Width		Maximum Height				Maximum Length				Gross Vehicle Weight				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Axle Spacing														
Weights (X 1000)														
Number of Tires														
Tire Size														

Load Description:														
VIN #:														
Maximum Width		Maximum Height				Maximum Length				Gross Vehicle Weight				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Axle Spacing														
Weights (X 1000)														
Number of Tires														
Tire Size														

**BRAZORIA COUNTY**

451 N. Velasco, Suite 230
Angleton, Texas 77515
(979)864-1270- fax

Permit No.: _____

Load Description

Company Name: _____

Phone No.: _____

Contractor: _____

Phone No.: _____

Load Description:
Load Description:

2001 Mack-18 wheeler-hauling pipe, steel, etc...

VIN #:

Maximum Width 102"	Maximum Height 12' 6"		Maximum Length 36'		Gross Vehicle Weight 80,000									
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Axle Spacing	15.5"	4.5'												
Weights (X 1000)	20	23	23											
Number of Tires	2	4	4											
Tire Size	22.5	22.5	22.5											

Load Description:

VIN #:

Maximum Width	Maximum Height		Maximum Length		Gross Vehicle Weight									
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Axle Spacing														
Weights (X 1000)														
Number of Tires														
Tire Size														

Load Description:

VIN #:

Maximum Width	Maximum Height		Maximum Length		Gross Vehicle Weight									
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Axle Spacing														
Weights (X 1000)														
Number of Tires														

Fax Number (281)756-1270 or (979)864-1270 or (979)388-1270

Tire Size														
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BRAZORIA COUNTY COMMISSIONERS' COURT

SPECIAL SESSION - OCTOBER 27, 1998

**ORDER NO. 21 RE: AUTHORIZE COUNTY ENGINEER TO
 APPROVE UTILITY PERMITS**

Motion by Commissioner Harris, seconded by Commissioner Patterson that the County Engineer be authorized to approve the following applications for permits:

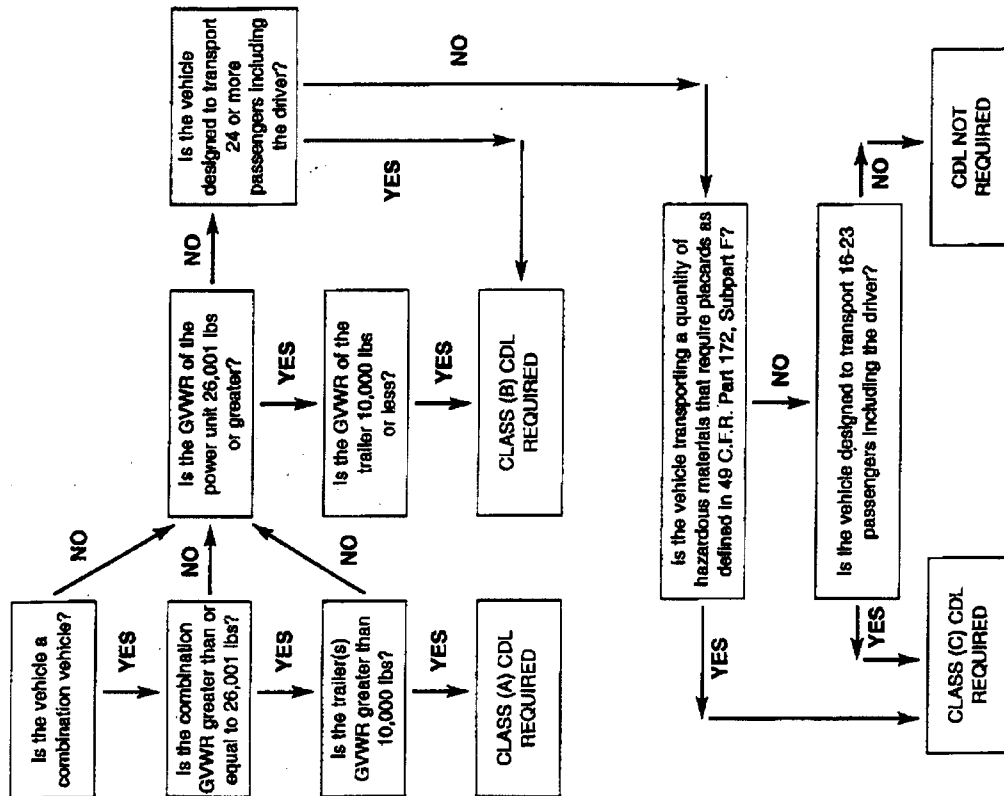
To place water, sanitary sewer, power, telephone, cable TV, or natural gas distribution utility lines in, along, or across county road rights-of-way

To place petroleum pipelines across county road rights-of-way only

Further, that a certified copy of this order be furnished to the County Engineer.

Motion carried, all present voting aye.

TRC Sec. 522.041
COMMERCIAL DRIVER'S LICENSE



PERMISSIBLE WEIGHT TABLE
CVE-43 (Rev. 2/7/06)
W = 500 $\left(\frac{LN}{N-1} + 12N + 36 \right)$ W = Weight L = Length N = # Of Axles

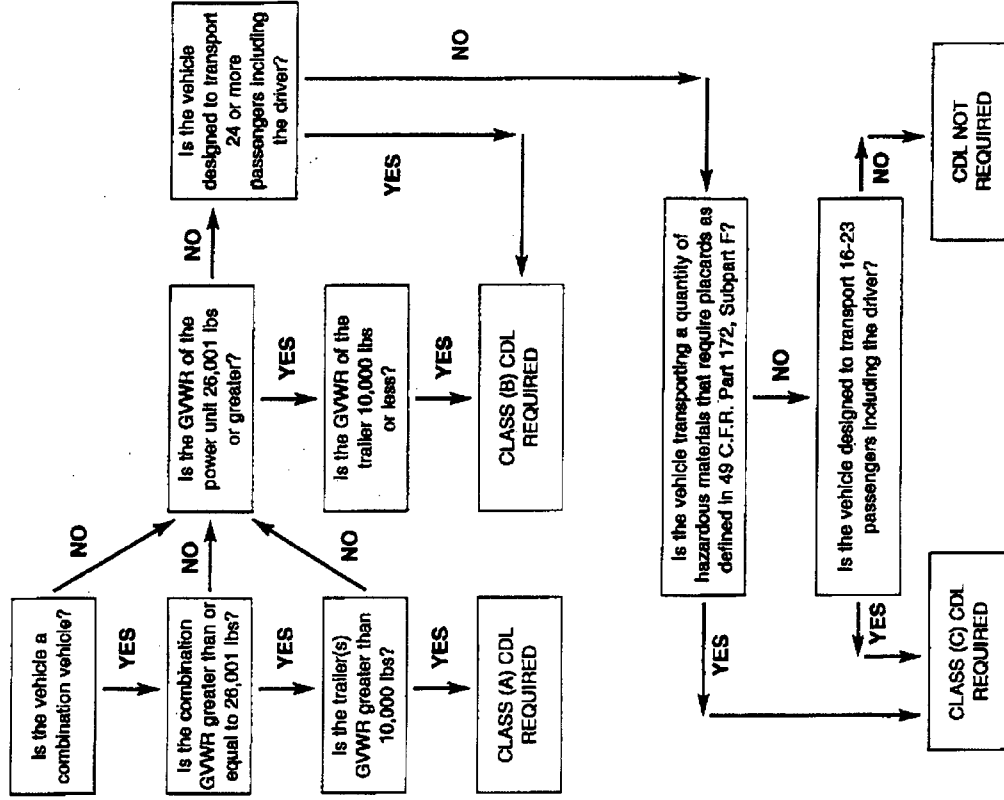
DISTANCE IN FEET	AXLES 2	AXLES 3	AXLES 4	AXLES 5	AXLES 6	AXLES 7
8	34,000	34,000				
9	39,000	42,500				
11		44,500				
13		45,500	50,500			
15		47,500	52,000			
17		48,500	53,500	58,500		
19		51,400	54,500	60,000		
21		54,000	58,000	61,000	68,500	
23		54,000	57,500	62,500	68,000	
25		54,500	59,850	63,500	69,000	74,500
27		58,000	61,550	65,000	70,000	75,500
29		57,500	63,450	66,000	71,500	77,000
31		59,000	65,350	67,500	72,500	78,000
33			67,250	68,500	74,000	79,000
35			69,150	70,000	75,000	
37			71,050	71,950	76,000	
39			72,950	72,500	77,500	
41			72,000	73,500	78,500	
43			72,000	75,000	80,000	
45			72,000	76,000		
47			73,500	77,500		
49			74,500	78,500		
51			76,000	80,000		
53			77,500			
55			78,500			
57			80,000			

*These figures have been carried forward from Article 6701d-11, Section 5, Subsection (4), when it was amended on December 16, 1974, by Senate Bill 80 of the 64th Legislature, which provided that axle configurations and weights that could be lawfully operated as of that date would continue to be legal under the increased weight limits.

+These figures apply only to an axle spacing greater than 8' but less than 9'.

(Note: The permissible loads are computed to the nearest 500 pounds - Sec. 127 USC, Title 23 and TRC 621.101.)

TRC Sec. 522.041
COMMERCIAL DRIVER'S LICENSE



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49	74,500	78,500				
51	75,000	80,000				
53	77,500					
55	78,500					
57	80,000					

*These figures have been carried forward from Article 6701d-11, Section 5, Subsection (4), when it was amended on December 16, 1974, by Senate Bill 88 of the 64th Legislature, which provided that axle configurations and weights that could be lawfully operated as of that date would continue to be legal under the increased weight limits.

+These figures apply only to an axle spacing greater than 8' but less than 9'.

(Note: The permissible loads are computed to the nearest 500 pounds - Sec. 127 USC, Title 23 and TRC 821.101.)

MISCELLANEOUS WEIGHT LAW EXCEPTIONS

SEED COTTON: Single vehicles used for this purpose may not exceed 59,400 lbs. gross weight, regardless of axle or group of axle weight limit. Must be registered for this weight. Can not operate on the Interstate system including service roads.

CHILE PEPPER MODULES: TRC 822 823 Single motor vehicle used for this purpose may not exceed 64,000 lbs. gross weight, regardless of axle or group weight limits. Can not operate on the Interstate system including service roads.

FIRE DEPARTMENT VEHICLE: Weight limitations do not apply to a vehicle owned or operated by a public, private, or volunteer fire department. The weight of a fire department vehicle may not be heavier than the manufacturer's gross vehicle weight capacity or axle design rating.

LOG TRUCKS: Log Trucks may be operated with 80,000 pounds gross weight with a minimum outside bridge measurement of 39 ft. or more. Must be registered for this weight. Can not operate on the Interstate system including service roads. Five axles are required and the inner bridge does not apply.

ENFORCEMENT TOLERANCES

All weight violations will have a 1,000 pound tolerance. This includes all vehicles operated with or without permits (including the 12% Agricultural exemption).

Example: Single Axle Weighs 21,000 lbs. = Warning Only
Single Axle Weighs 21,001 lbs. = Arrest

UNLOADING TOLERANCES

If the gross or axle weight of a motor vehicle which is weighed and is heavier than the maximum weight authorized plus a tolerance allowance equal to five percent of that maximum weight, the weight enforcement officer shall require the operator or owner of the vehicle to unload any weight in excess of the legal weight plus five percent.

UNLOADING EXCEPTIONS

1. Timber, pulp wood, or agricultural products in their natural state being transported from the place of production to the place of marketing or first processing; or
2. A vehicle crossing a highway where owner owns the land on both sides of the roadway; or
3. Vehicle loaded with livestock (any live animals).

DPS POLICY: If no apparent damage to the highway is occurring and the load is within five (5) miles from the point of origin or destination, the vehicle will be allowed to proceed without unloading (See THP Manual, Part II CVE, Chapter 7, Annex 13).

AXLE & VEHICLE DIAGRAMMING METHODS

Weight enforcement measurements are taken from the center of an axle to the center of the next axle. This distance is recorded in feet. The axle weights will be inserted by the wheel diagrams. Any measurements of six inches or more will be carried to the next highest foot. Example: 23'6" would be recorded as 24 feet.

Example of how to diagram and record measurements:



BASIC WEIGHT LAWS

TIRE WEIGHT RATING
= Marked on Side wall of Tire

SINGLE AXLE
= 20,000 lbs.

TANDEM AXLE
= 34,000 lbs.

MAXIMUM GROSS WEIGHT
= 80,000 lbs.

WHEN DETERMINING LEGAL ALLOWED GROSS WEIGHT FOR ANY OF THE ABOVE LISTED WEIGHT LAWS, ALWAYS USE THE MOST RESTRICTIVE AMOUNT ALLOWED BY LAW.

1547/2060 PERMIT

Allows for excess Axle and/or Gross Weights to exceed the Basic Weight Law allowances. Do not confuse this permit with other permits issued by TxDOT that route oversize/weight vehicles on Interstate roadways. Can not operate on the Interstate system including service roads with the 1547/2060 Permit. And, the inner bridge no longer applies.

Vehicles laden with NON-AGRICULTURAL commodities may have:
Maximum Allowable Axle Weight + 10% on all Axles. Only if the Maximum Allowable Legal Gross Weight + 5% is not exceeded.

Vehicles laden with AGRICULTURAL commodities may have:
Maximum Allowable Axle Weight + 12% on only one axle (TRC 821.508), and
Maximum Allowable Axle Weight + 10% on all other Axles. Only if the Maximum Allowable Legal Gross Weight + 5% is not exceeded.

12% AGRICULTURAL DEFENSE

1. Applies to a Single or Tandem axle.
2. Stipulation that only one axle will be allowed the 12%, but any inner bridge or allowed gross weight is not exceeded. The product loaded was timber, pulpwood, wood chips, cotton or livestock (live animals) or other agricultural products that are in their natural state, and being transported to the place of first marketing or first processing and not being operated on the Interstate system or service roads.

READY-MIX CONCRETE or CONCRETE PUMP TRUCKS (With a valid Surety Bond)

SINGLE AXLE ALLOWED
= 23,000 lbs.

TANDEM AXLE ALLOWED
= 40,000 lbs.

GROSS LOAD N.T.E.
= 68,000 lbs.

NOTE: If the gross weight does not exceed 68,000 lbs. Then each axle will be allowed an additional 10% on the above referenced weights.

A Ready-mix or concrete pump truck must:

1. Present a copy of the Surety Bond for the vehicle being operated,
2. Can not operate on the Interstate system including service roads, and
3. Be registered for the actual/allowed weight NTE 68,000 lbs.

NOTE: Ready-Mix concrete is a perishable commodity, as is Hot Mix. Use good discretion on how long a vehicle is detained for inspection or for weighing purposes.

VEHICLES TRANSPORTING SOLID WASTE & RECYCLABLE MATERIAL WITH ROLL-OFF CONTAINERS

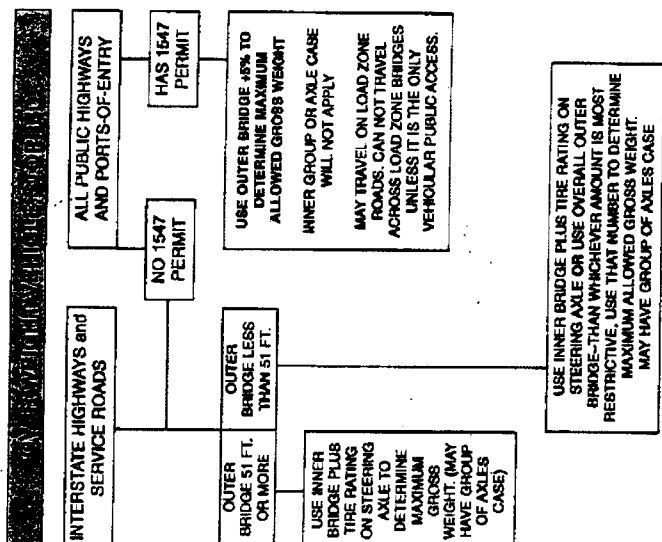
Steering Axle
= 21,000 lbs.

Tandem Axle
= 44,000 lbs.

Gross Weight
= 84,000 lbs.

Solid Waste and Recyclable material vehicles must:

1. Must be a single vehicle and not a combination.
2. Present a copy of the Surety Bond for the vehicle being operated.
3. Can not operate on the Interstate system including service roads, and
4. Be registered for the actual/allowed weight NTE 84,000 lbs.



AIDING AND ABETTING -- LOADING OF VEHICLES

A person may not load or cause to be loaded a vehicle for operation on a public highway of this state that exceeds the weight limitations for operation of that vehicle provided by TRC Sec. 821.101.

Inland to Violate a limitation is presumed if the weight of the loaded vehicle is heavier than the applicable gross weight limit or axle load limit by 15% or more.

This section does not apply to the loading of an agricultural or a forestry commodity before the commodity is changed in processing from its natural state.

**BRAZORIA COUNTY
HEAVY LOAD PERMIT**

STATE OF TEXAS }
COUNTY OF BRAZORIA }

On this the **7th day of January, A.D. 2010**, came to be heard the application of (_____) and is hereby granted a temporary revocable permit to use Brazoria County roads to and from a location approximately as follows:

ROUTE: Various County Roads as per customer calls.

NOTE: NO BRIDGES IN BRAZORIA COUNTY ARE TO BE CROSSED WITH LOADS OVER THE POSTED WEIGHT OF THE BRIDGE.

THIS PERMIT DOES NOT AUTHORIZE HEAVY LOADS TO TRAVEL ON COUNTY ROADS DESIGNATED AS "NO THRU TRUCKS".

PERMIT TO EXPIRE: April 7, 2010

This permit shall be in effect for a period of 90 days from the date of issuance, unless sooner revoked by the Brazoria County Engineer or the Commissioners' Court of Brazoria County.

This temporary permit is granted upon the condition that the Applicant has agreed to pay all damages to Brazoria County caused by the use of said roads, by applicant and applicant's employees, agents and sub-contractors including damages to bridges and other structures on said roads.

Payment of damages shall in no way limit, discharge or diminish the obligation of Applicant to pay for any future damages caused to County Roads by Applicant, his employees, agents or subcontractors, nor shall payment of any such damage limit the right of Brazoria County to revoke this permit in its sole discretion.

It is a further condition of this permit that Applicant, applicant's employees agents, and subcontractors shall limit all loads transported under this permit to the maximum load per axle, overall gross weight, and dimensions shall be in accordance with the provisions of Transportation Code - Chapter 621.

It is further condition of this permit that Applicant shall indemnify and hold harmless the County for any damages caused to the person or property of third parties arising out of the operations of Applicant, his employees, subcontractors or agents, under this permit.

This permit is further granted upon the condition that Applicant will comply with the laws of the State of Texas Governing his operation and upon his representation, that he has complied with the Safety Responsibility Act of the State of Texas. That he meets all other requirements of law, and further agrees to all rules and regulations of Brazoria County governing such roads and load limits as authorized by the laws of the State of Texas.

This permit is a revocable permit. Brazoria County reserves the right to revoke this permit at any time, in the sole discretion of Brazoria County, for interests of public health, safety or welfare, or for failure to pay road damages upon demand, or for any other reason deemed sufficient by Brazoria County.

The County Engineer further retains the right to revoke this Permit by verbal notification to the Applicant and/or his company.

Signed and granted this 7th day of January, 2010
