

Weight-Based Offenses

Transportation Code Sec. 321.101	
A vehicle or combination of vehicles may not operate on a public highway if the vehicle or combination has:	
Single Axel Weight	heavier than 20,000 pounds, including all enforcement tolerances
Tandem Axel Weight	heavier than 34,000 pounds, including all enforcement tolerances
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 number of axles in the group	
Two consecutive sets of tandem axles may carry a gross load of not more than 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets is 36 feet or more. The overall gross weight on a group of two or more consecutive axles may not be heavier than 80,000 pounds, including all enforcement tolerances, regardless of tire ratings, axle spacing (bridge), and number of axles	
A vehicle that is powered by an engine fueled primarily by natural gas or powered primarily by means of electric battery power may exceed the gross weight limitation under this section for the vehicle by up to 2,000 pounds, provided that the maximum gross weight of the vehicle may not exceed 82,000 pounds	

Overweight Vehicle Penalties

Transportation Code Sec. 621.506		
A person commits an offense if the person:		
(1) operates a vehicle or combination of vehicles in violation of Section 621.101 , 622.012 , 622.031 , 622.041 , 622.0435 , 622.051 , 622.061 , 622.133 , 622.953 , or 623.162 ;		
or		
(2) loads a vehicle or causes a vehicle to be loaded in violation of Section 621.503 .		
An offense under this section is misdemeanor punishable by a fine of not less than \$100 and not more than \$250		
(b)(2) On conviction of an offense involving a vehicle having a single axle weight or tandem axle weight that is heavier than the vehicle's allowable weight, by a fine according to the following schedule:		
Pounds Overweight	Fine Minimum	Fine Max
Less than 2,500	\$100	\$500
2,500 – 5,000	\$500	\$1,000
More than 5,000	\$1,000	\$2,500
(b)(3) On conviction of an offense involving a vehicle having a gross weight that is heavier than the vehicle's allowable weight, by a fine according to the following schedule:		
Pounds Overweight	Fine Minimum	Fine Max
Less than 2,500	\$100	\$500
2,500 – 5,000	\$500	\$1,000
5,001 – 10,000	\$1,000	\$2,500
10,001 – 20,000	\$2,500	\$5,000
20,001 – 40,000	\$5,000	\$7,000
More than 40,000	\$7,000	\$10,000
<i>(b-1) On 3rd conviction punishable under (b)(2) or (b)(3), before the first anniversary of the date of a previous conviction of an offense punishable under Subsection (b)(2) or (3), the defendant shall be punished by a fine in an amount not to exceed twice the maximum amount specified by Subsection (b)(2) or (3)</i>		
(b-2) A defendant operating a vehicle or combination of vehicles at a weight for which a permit issued under this subtitle would authorize the operation, but who does not hold the permit, shall be punished by a fine in addition to the fine imposed under Subsection (b) of not less than \$500 or more than \$1,000, except that for a second or subsequent conviction under this section, the offense is punishable by an additional fine of not less than \$2,500 or more than \$5,000.		
(b-3) A defendant operating a vehicle or combination of vehicles at a weight in excess of 84,000 pounds with a load that can reasonably be dismantled shall be punished by a fine in addition to the fine imposed under Subsection (b) of not less than \$500 or more than \$1,000, except that for a second or subsequent conviction under this section, the offense is punishable by an additional fine of not less than \$2,500 or more than \$5,000.		

Commercial Vehicle Scenarios FY26 Handout

(c) On conviction of a violation of an axle weight limitation, the court may assess a fine less than the applicable minimum amount prescribed by Subsection (b) if the court finds that when the violation occurred: (1) the vehicle was registered to carry the maximum gross weight authorized for that vehicle under Section 621.101; and (2) the gross weight of the vehicle did not exceed that maximum gross weight.
(d) (Reporting) A judge or justice shall promptly report to the Department of Public Safety each conviction obtained in the judge's or the justice's court under this section. The Department of Public Safety shall keep a record of each conviction reported to it under this subsection.
(e) If a corporation fails to pay the fine assessed on conviction of an offense under this section, the district or county attorney in the county in which the conviction occurs may file suit against the corporation to collect the fine.
(f) <i>A justice or municipal court has jurisdiction of an offense under this section.</i>
(g) (Remittance of Fines) Except as provided by Subsection (h), a governmental entity that collects a fine under this section for an offense involving a vehicle having a single axle weight, tandem axle weight, or gross weight that is more than 5,000 pounds heavier than the vehicle's allowable weight shall send an amount equal to 50 percent of the fine to the comptroller in the manner provided by Subchapter B, Chapter 133, Local Government Code.
(h) If the offense described by Subsection (g) occurred within 20 miles of an international border, the entire amount of the fine shall be deposited for the purposes of road maintenance in: (1) the municipal treasury, if the fine was imposed by a municipal court; or (2) the county treasury, if the fine was imposed by a justice court.
(i) A fine may not be imposed under this section that exceeds the minimum dollar amount that may be imposed unless the vehicle's weight was determined by a portable or stationary scale furnished or approved by the Department of Public Safety.