

Commercial Vehicle Enforcement (CVE)

An Overview for Texas Municipal Court Personnel

What is CVE?

- Simply put, CVE is the enforcement of laws and regulations that pertain to commercial vehicles, their owners/operators, and their drivers

What is CVE?

- Most importantly, it is a SAFETY program

Why is CVE important?

- Highway Transportation:
 - One of the primary modes of transport in USA
 - Major economic engine
 - Goods must be transported efficiently, *but* must also be transported safely

Why CVE?



Why CVE?



Why CVE?



Why CVE?



Why CVE?



So, why do CVE?

- To ENHANCE SAFETY by assuring compliance with applicable safety regulations
- To DETER ABUSE of highway infrastructure by assuring compliance with applicable size & weight regulations

Why do CVE?

CMV FATALS	2009	2008	2007	2006	2005
TX	270	392	430	409	429
CA	239	283	326	358	357
FL	170	237	259	309	341
GA	127	168	197	169	211
PA	120	174	179	208	North Carolina 182



Which cities can do CVE?

Refer to 'Municipal Officers' handout

ANY city can do some level of commercial vehicle enforcement, but...

WITHIN THEIR LIMITATIONS!

Which cities can do CVE?

- There are basically four (4) levels of CVE a city might engage:
 - 1. No enforcement whatsoever
 - 2. 'City Enforcement' only
 - 3. 'State Weight Enforcement'
 - 4. 'Federal D.O.T. Enforcement'

Why is CVE so difficult to understand?

* Refer to 'Common CVE Codes' handout*

- Commercial vehicles are regulated by numerous codes
- Many different agencies administer these codes

Why is CVE so difficult to understand?

- Often, there are differing definitions of a CMV from code to code
- Numerous exceptions and exemptions apply throughout the codes

Why is CVE so difficult to understand?



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Why is CVE so difficult to understand?



State Weight Violations

- State weight law is found in TRC 621
- Most commodity specific state weight law is found in TRC 622
- Further commodity specific state weight law and permits are found in TRC 623
- And further weight law is found in TXDOT's Administrative Code

State Weight Violations

- Maximum weight limits are dependant upon vehicle length, axle configurations, tire limitations, type commodity, type roadway and any applicable permits in effect at the time of weighing
 - All limitations are public information and available on TXDOT's website

State Weight Violations

- Most state weight law violations are divided into three ranges:
 - 1 to 5,000 lbs over limit
 - 5,001 to 10,000 lbs over limit
 - 10,001 and above over limit

State Weight Violations

- Most state weight law violations have min/max fine amounts:
 - 1 to 5,000 lbs over limit - \$100 to \$150
 - 5,001 to 10,000 lbs over limit - \$300 to \$500
 - 10,001 and above over limit - \$500 to \$1000

State Weight Violations

- Most state weight law violations have enhanced min/max fine amounts for subsequent violations:
 - 1 to 5,000 lbs over limit - \$200 to \$300
 - 5,001 to 10,000 lbs over limit - \$500 to \$1000
 - 10,001 and above over limit - \$1000 to \$2000

State Weight Enforcement



State Weight Enforcement



State Weight Enforcement



State Weight Enforcement



State Weight Violations

- Cement Trucks operating with a valid surety bond have a different range of penalties
 - 1st Conviction - \$200 max fine
 - 2nd Conviction in previous twelve months - \$500 and/or 60 days in jail
 - 3rd Conviction in previous twelve months - \$1000 max fine and/or 6 months in jail

State SIZE Violations

- Penalties for violating state length, width & height limitations
 - 1st Conviction - \$200 max fine
 - 2nd Conviction in previous twelve months - \$500 and/or 60 days in jail
 - 3rd Conviction in previous twelve months - \$1000 max fine and/or 6 months in jail

State SIZE Violations



D.O.T. Violations

- TRC 644
- Federal transportation regulations adopted by the State of Texas (DPS) utilizing the Texas Administrative Code (TAC)
- Violations are Class C misdemeanors

D.O.T. Violations

- City must have an MOU in effect with DPS
- City officers must be certified by USDOT (via DPS) to conduct roadside inspections
- City must remit D.O.T. fines in excess of 110% direct operating costs to the State of Texas
 - Fine money from enforcement of TRC 644 only

D.O.T. Violations



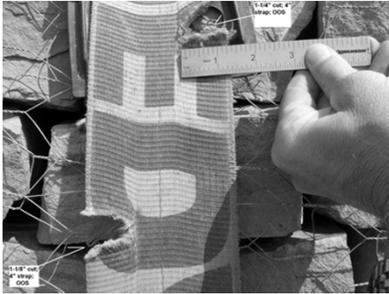
D.O.T. Violations



D.O.T. Violations



D.O.T. Violations



Where are the 'serious traffic violations'?

- TRC 522.003(25)
 - Definitions of Serious Traffic Violations
- TRC 522.081
 - Lists number and frequency of Serious Traffic Violation convictions needed to invoke a driving disqualification
 - Also details length of disqualifications

Deferred Disposition

- CCP Art 45.051(f)(2)
- Generally, CDL holders are not eligible for deferred
 - Remember: Not all CMVs require the driver to have a CDL

What are the associated 'state costs'?

- \$85 – TRC Subtitle C 'Rules of the Road'
 - Vehicle Equipment violations
 - MVI violations
- \$52 – Everything else

QUESTIONS?
