



State of Texas
County of Trinity

Load Limit Permit Application/Request Form

To be completed by any entity intending to haul loads or vehicles in excess of 34,000 lbs and/or 18,000 lbs per axle on Trinity County maintained roads Owner of:

Vehicle: Make _____ Model _____

Address: _____ Date _____

Phone: _____ FAX # _____

Name of Company: _____

Owner of Truck: _____ Phone # _____

Name of Driver(s): _____

Routes: Including County Road(s) involved: _____

Activity (logging, oil field, etc.): _____ Precinct # _____

Dates: From: _____ To: _____

Land Owner at Activity Location: _____

Address: _____ Phone: _____

Vehicle License Number: _____ GVW: _____

Surety Bond Required (\$): _____ Commissioner _____

Mail Application To: Trinity County/Commissioner Assistant Lisa Sharp
P. O. Box 484
Groveton, TX 75845

Fax Application To: 936-642-0002 Email: lisa.sharp@co.trinity.tx.us - You will be contacted upon receipt of your application.

For Office Use No: _____ Approval Date _____ Approved by _____

ORDER OF COMMISSIONERS' COURT ESTABLISHING LOAD LIMIT AND PERMIT TO OPERATE OVERWEIGHT VEHICLES ON TRINITY COUNTY ROAD SYSTEM

BE IT REMEMBERED that on this the 2 day of August 2005, the Trinity County Commissioners' Court convened in Regular Session, with the following members present, to-wit:

- Mark Evans, County Judge
- Grover "Tiger" Worsham, Commissioner Pct. #1
- Bill Burton, Commissioner Pct. #2
- Cecia Webb, Commissioner Pct. #3
- Travis Forrest, Commissioner Pct. #4

Whereupon, among other proceedings had, the following Order was upon motion by Commissioner Forrest duly seconded by Commissioner Webb with 4 members of the Court present voting "aye" and 1 member present voting "no" adopted, to-wit:

The definitions of terms herein shall be those enacted and enrolled in § 621.001 TEXAS TRANSPORTATION CODE; and the term:

- (1) "County" shall in all cases refer to and mean Trinity County, Texas;
- (2) "Applicant" shall in all cases refer to and mean a person who applies for a permit and shall include a person to whom a permit has been issued;
- (3) "Permitee" shall in all cases refer to and mean a person to whom a permit has been issued, and includes all persons operating vehicles on the permittee's behalf.

II.

Pursuant to TEXAS TRANSPORTATION CODE Sections 251.153 and 621.301, be it Enacted and Ordered by the County of Trinity, State of Texas, without prior notification to the Trinity County Judge's Office, that no vehicle nor combination of vehicles shall be operated without a permit on any road, bridge, or culvert which is maintained exclusively by said County of Trinity, with a greater weight than 18,000 pounds per single axle, or with a tandem axle weight in excess of 34,000 pounds, including any enforcement tolerances (§251.153 Transportation Code); or 24,000 pounds for gooseneck trailers.

This section does not:

- (1) authorize size or weight limits on the national system of Interstate and defense highways in this state greater than those permitted under 23 U.S. C. Section 127, as amended;
- (2) authorize size or weight limits on the state highways in this Texas greater than those permitted under TEXAS TRANSPORTATION CODE § 621.101, as amended;
- (3) authorize operation of a vehicle exceeding the weight limits posted on a bridge or culvert on or over said bridge or culvert;
- (4) prohibit the operation of a vehicle or combination of vehicles that could be lawfully operated on a highway or road of this state on December 16, 1974; or
- (5) prohibit the operation of a vehicle or combination of vehicles that could be lawfully operated on a highway or road of this state under a valid, current permit issued by the Texas Department of Transportation for overweight vehicles. A vehicle operating under a

permit issued under TEXAS TRANSPORTATION CODE Sections 623.011, 623.071, 623.084, 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 this section.

A maximum weight set hereunder does not apply to a vehicle delivering groceries or farm products to a destination requiring travel over a road for which the maximum is set.

III.

The Commissioners Court may issue permits limited to periods of ninety (90) days or less for the transportation over highways or county roads of Trinity County, Texas (other than Federal or State highways and public roads within the boundaries of an incorporated municipality), overweight or oversize or over length commodities which cannot be reasonably dismantled, or for the operation over these highways or county roads of super heavy or oversize equipment for the transportation of oversize or overweight or over length commodities which cannot be reasonably dismantled.

IV.

To qualify for a permit under this section:

- (1) the applicant must file an application for permit with the County Commissioner;
- (2) the vehicle must be registered under TEXAS TRANSPORTATION CODE Chapter 502 for the maximum gross weight applicable to the vehicle; and
- (3) the applicant shall designate:
 - (a) the County roads over which he will operate,
 - (b) the number vehicles operating under the permit; and
 - (c) the name and address of the owner of the land being serviced.

V.

If the application is complete, correct and in good order and accompanied by a valid and proper bond, if required, the County Commissioner shall issue the permit, forward copies of the application to the County Judge and the County Sheriff, a copy of the permit shall be carried in each vehicle operated by the permittee to whom it is issued and must be displayed to any law enforcement officer or County officer or employee who requests it for any such vehicle on a public road or right of way.

VI.

A State or County permittee shall, orally or in writing, notify the Commissioner of each precinct in which he operates and designate when and on which County Road he will be operating. The notification shall be directly to the Commissioner of that precinct or to the County Judge's Office and shall be before hauling commences, unless hauling begins on a weekend or county holiday, in which case the permittee shall notify the Commissioner of that precinct or the County Judge's Office by 9:00 a.m. the first business day after hauling commences.

VII.

That all provisions hereof are hereby declared to be severable and if any provision hereof is declared to be invalid or unconstitutional, such shall not invalidate or affect the

remaining provisions hereof which will be and remain in full force and effect:

VIII.

It shall be unlawful for and constitute a class C misdemeanor for any individual, corporation, or association to drive, operate or move, or for the owner to cause or permit to be driven, operated, or moved, on any county road any vehicle which in any respect exceeds the limitations set forth above without holding a valid permit from Trinity County under the provisions set out above.

IX.

Any individual, corporation, or association who shall violate the provisions of this Order, or fail to comply therewith, shall be guilty of a misdemeanor and shall, on conviction, be punished by a fine not exceeding \$200.00 for the first offense and by a fine not exceeding \$500.00 for each subsequent offense; provided, however, that the punishment for a corporation or association for a third or subsequent offense be by a fine not exceeding \$2,000.00.

An intent to violate the weight provisions shall be presumed under the presumptions in Chapters 261 and 263 of the TEXAS TRANSPORTATION CODE.

X.

In cases involving damage to roads, bridges or culverts in Trinity County or the non-compliance of a person or company to obtain the required permit to operate overweight vehicles on Trinity County Roads, then the County Commissioner, at the Commissioner's discretion, may require a bond, issued by a Texas Company, be executed by an applicant for any such permit in the amount of such bond sufficient to guarantee the payment to Trinity County for any damages to any road or bridge or culvert sustained by Trinity County as a consequence of the transportation authorized by said permit. The amount of the bond shall not exceed five thousand dollars (\$5,000.00).


The liability of a holder of a permit issued hereunder for damage to a state road or highway or a county road is not limited to the amount of the bond or letter of credit required for the issuance of the permit.

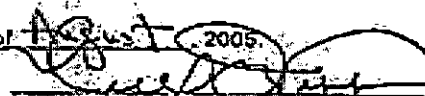
XI.

The Commissioners Court authorizes any sheriff, deputy sheriff, constable, deputy constable, or a police officer certified under TEXAS TRANSPORTATION CODE Section 644.101 to weigh a vehicle to ascertain whether the vehicle's load exceeds the limit prescribed by the Commissioners Court.

XII.

Paragraph II of this Order shall be published twice in a paper in Trinity County and thereafter said adoption and publication shall become operative on each road maintained by Trinity County when appropriate signs giving notice of the maximum weight are erected on the road under order of the commissioners court.

PASSED AND APPROVED THIS 8th day of August, 2005

County Judge, Mark Evans


Commissioner Pct. 03

County Clerk, Trinity County, Texas
Commissioner, Pct. #2
[Signature]

Commissioner, Pct. #1
Commissioner, Pct. #2
[Signature]