

OVERNIGHT PARKING OF COMMERCIAL VEHICLES

Some time ago we circulated a petition to not allow commercial vehicles to park in our sub division overnight. This was signed and returned to the County Commissioner who has posted signs to that effect at the entrances to our sub division.

If you notice commercial vehicles parked overnight in our sub division, you may call the Sheriff and have them ticketed.

Listed below are the particulars of the ordinance:

Authority – These procedures are promulgated pursuant to and in conformity with HB327 which took effect on September 1, 1997, and is to be codified at TEX. TRANSP. CODE ANN. }545.307

Definitions as used in these procedures:

“Commercial motor vehicle” has the meaning assigned by TEX. TRANSP. CODE ANN. }522.003 (Vernon 1997) and includes a vehicle meeting that definition regardless of whether the vehicle is used for a commercial purpose.

TEX. TRANSP. CODE ANN. } 522.003 (Vernon 1997) currently states:

“Commercial motor vehicle” means a motor vehicle or combination of motor vehicles used to transport passengers or property that:

- A) has a gross combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
- B) has a gross vehicle weight rating of 26,001 or more pounds;
- C) is designed to transport 16 or more passengers, including the driver; or
- D) is transporting hazardous materials and is required to be placarded until 49 C.F.R. Part 172, Subpart F.

“Motor vehicle” means a vehicle, machine, tractor, trailer, or semi-trailer propelled or drawn by mechanical power and used on a highway. The term does not include a vehicle, machine, tractor, trailer, or semi trailer operated exclusively on a rail. TEX. TRANSP. CODE ANN. } 522.003 (21) (Vernon 1997)

“Overnight” means that period of time after 10 p.m. and before 6 a.m. in any given twenty-four hour period.