

MEMORANDUM OF UNDERSTANDING

Between

THE TEXAS DEPARTMENT OF PUBLIC SAFETY

-and-

JOHNSON COUNTY SHERIFF'S OFFICE

General Agreement

In accordance with TRC § 621.402, the Department has established the following parameters for approved Allied Agencies seeking to enforce the defined State Laws within TRC § 621, Subchapter F.

In order to maximize the uniform enforcement of statute, the undersigned parties enter into this Memorandum of Understanding (MOU) regarding training, approved scale use, annual scale re-calibration standards, and violation report requirements and mandated annual reporting to the Department.

It is agreed:

Responsibilities of the Department

In order to better implement and maintain the standards in this MOU, the Department shall:

1. Train, retrain (as necessary or desirable), test, and certify the officers of any qualified Allied Agency.
2. Forward any weight enforcement complaints / challenges to the issuing Allied Agency.

The Department may conduct random, in-person observation of weight enforcement inspections conducted by an Allied Agency in order to ensure that the Allied Agency's officers are adhering to Department certification standards.

Responsibilities of the Allied Agency

Certification Training

The Allied Agency shall enroll officers in the (40) hour, Basic CVE course conducted at the direction of the Motor Carrier Bureau. In order to meet the "weight enforcement officer" certification standard, a minimum score of 80% must be obtained. After initial certification, mandated re-certification training will take place following each legislative session. In order to maintain certification, each weight enforcement officer must score a minimum of 80%. The Department will immediately suspend any officer who fails to re-certify. The Allied Agency shall prohibit that officer from conducting or assisting with any weight enforcement activities.

The Allied Agency may discontinue agency certification at any time by notifying the Department in writing. If a certified officer separates from an Allied Agency, the Department must receive notification of separation within (10) days.

Approved Scales

The Allied Agency will be required to purchase/utilize scales from the following approved list:

Scale Manufacturer	Model Number
General Electrodynamics Corporations	MD 400
PAT Equipment Company	SAW 10A
General Electrodynamics Corporations	MD 700
Intercomp Company	PT 300
General Electrodynamics Corporations	MD 400E
General Electrodynamics Corporations	MD 500E
Intercomp Company	AX 900
Loadometer Corporation	Haenni WL 101
Intercomp Company	LP600
Intercomp Company	LS630
Intercomp Company	LP630

The approved scales must be re-calibrated during each calendar year by a certified scale technician or vendor. All individual scale calibration records must be retained for the current year plus the two (2) previous years and are subject to review during contested judicial proceedings and random Department audit.

Violation Report Requirements

In addition to typical driver / vehicle information and infractions, the following information must be included on all weight enforcement violation reports:

- US DOT Number / TX DMV Number
- State identification / registration identification of units and company unit numbers (license plate numbers for the power units and towed vehicle)
- Registered weights and the Gross Vehicle Weight Ratings of each vehicle
- Axle configuration diagram with corresponding axle distance measurements and the recorded actual weights measured of each axle, tandem axle and tri-axle
- Overweight permit number
- Load disposition
- Gross weight and group weight

Annual Reporting Requirements

The Allied Agency will be required to submit an annual report of their weight enforcement activities for each calendar year to the Department. The report should be directed to the Motor Carrier Bureau in Austin, Texas. The report must be received by January 31st of each year.

Program Coordinators

The Allied Agency's weight enforcement coordinators are responsible for all communications and contacts required to manage this MOU. The coordinators shall provide any updates regarding contact information within thirty (30) calendar days. The current program coordinators for this MOU are:

Allied Agency:

Department:

DEPARTMENT OF PUBLIC SAFETY
Texas Highway Patrol
Motor Carrier Bureau

Captain Omar Villarreal - Manager
Program Coordinator

MCB, P.O. Box 4087
Austin Texas 78773-0522
Address

(512) 424-2053
Voice Phone Number

(512) 424-5712
Fax Number

omar.villarreal@dps.texas.gov
E-mail Address

Program Coordinator

Address

Voice Phone Number

Fax Number

E-mail Address

Evidence of Acceptance:


Signature of Authorized Official

Johnson County, Texas
Political Subdivision

Roger Harmon
Name

County Judge
Title

2/22/16
Date