

TEXAS DEPARTMENT OF PUBLIC SAFETY

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SHERIFF JIMMY FULLEN
GALVESTON COUNTY SHERIFF'S OFFICE
601 54TH STREET
GALVESTON, TX 77551

Re: INITIAL WEIGHT ENFORCEMENT MEMORANDUM OF UNDERSTANDING
Certification of Weight Enforcement Authority

Dear Sheriff Fullen:

Pursuant to your request, we are sending you a draft Weight Enforcement Memorandum of Understanding (MOU). The standard MOU requires renewal every two years. You will be scheduled for your first biennial renewal on or before August 1, 2027. A draft of the MOU and the Commercial Vehicle Enforcement Guidance Documents (referred to in the MOU) are enclosed.

Please complete any blanks on the MOU related to your Allied Agency, have the appropriate authorized person sign it (County Commissioner's Court), and return the original to me by September 30, 2025. If the contact information requires substantial revision, please FAX the corrections to me at (512) 424-5712, and we will forward a corrected MOU to you.

We will contact you regarding scheduling your inspectors for training once your signed MOU has been received by our office.

If you have any questions, you may contact me at (512) 424-2053. Thank you.

A handwritten signature in cursive script, appearing to read 'Rich Reid'.

Captain Richard Reid
Manager, Motor Carrier Bureau

RR/ff

MEMORANDUM OF UNDERSTANDING

Between

DEPARTMENT OF PUBLIC SAFETY OF THE STATE OF TEXAS (DPS)

and

GALVESTON COUNTY SHERIFF'S OFFICE (Allied Agency)

I. General Agreement

In accordance with Texas Transportation Code § 621.402, DPS has established parameters for approved Allied Agencies seeking to enforce Texas Transportation Code Chapter 621, Subchapter F. In order to maximize the uniform enforcement of statute, the parties enter into this Memorandum of Understanding (MOU) regarding training, approved scale use, annual scale re-calibration standards, violation report requirements, and mandated annual reporting.

II. DPS Responsibilities

In order to better implement and maintain the standards in this MOU, DPS will:

1. Train, retrain (as necessary or desirable), test, and certify the officers of any qualified Allied Agency.
2. Forward any weight enforcement complaints or challenges to the issuing Allied Agency.
3. Supply software necessary for the data entry of all inspection information on a cost recovery basis to Allied Agencies.

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

III. Allied Agency Responsibilities

A. Certification Training

Allied Agency must enroll their commissioned, full-time officers in the 40 hour, Basic CVE course conducted at the direction of the DPS Motor Carrier Bureau. A commissioned officer must obtain 80% or better to become certified as a "weight enforcement officer." After initial certification, mandated re-certification training will take place following each legislative session. Weight enforcement officers must obtain 80% or better to maintain certification. DPS will immediately suspend any officer who fails to re-certify and Allied Agency must prohibit that officer from conducting or assisting with any weight enforcement activities.

Allied Agency may discontinue agency certification at any time by notifying DPS in writing. If a certified officer separates from an Allied Agency, Allied Agency must notify DPS within ten days.

B. Application of Statute and Allied Agency Requirements

1. During the course of duty, an Allied Agency weight enforcement officer must adhere to the "reasonable suspicion" requirements in weighing a commercial motor vehicle as inferred by Transportation Code § 621.402. There must be an articulable reason to detain a vehicle prior to utilizing any type of approved scale to determine actual weight. A fixed location signaling all commercial traffic to enter a weight

enforcement site is in direct conflict with this mandate.

2. Allied Agency will only conduct weight inspections while an officer is on-duty. Allied Agency may not perform inspections at any time for the specific purpose of benefitting a carrier, whether onsite or offsite (such as a roadside or at a principal place of business). Compensation for weight inspections of any kind is prohibited.
3. Officers sent for training by the Allied Agency must be full-time employees of the Allied Agency carrying their TCOLE commission. Officers will not serve as weight enforcement officers or carry out weight enforcement duties for any other agency or elected county official (other than the Sheriff of the Allied Agency, where applicable) during the time they are employed and commissioned by Allied Agency.

C. Approved Scales

Allied Agency must purchase and use scales from the approved Scale List found at the following URL: <http://www.dps.texas.gov/cve/Publications/approvedScaleList.pdf>. Allied Agency must re-calibrate the approved scales during each calendar year by a certified scale technician or vendor. Allied Agency must retain all individual scale calibration records for the current year plus the two previous years. These records are subject to review during contested judicial proceedings or any DPS audit.

D. Weight Inspection Reports & Upload

Allied Agency must purchase hardware and software to conduct weight inspections in order to upload the reports to DPS. Allied Agency may only issue DPS authorized weight inspection reports.

E. Annual Reporting Requirements

Allied Agency must submit an annual report of its weight enforcement activities for each calendar year to DPS. Allied Agency must send the report to the Motor Carrier Bureau in Austin, Texas by January 31 of each year for the prior year's enforcement activities. The annual reporting requirements under this Section will survive the termination date of this MOU.

F. Statutory Financial Reporting and Remittance Requirements

Allied Agency must comply with Transportation Code § 621.506(g) and report that data to DPS.

This includes: (1) sending the required 50 percent share to the State of Texas's Comptroller of

Public Accounts (CPA) if the fine meets the statutory criteria; and (2) only imposing the minimum

dollar fine unless the vehicle's weight was determined by a scale given or approved by DPS. DPS will confirm fiscal standing with CPA before renewing an MOU with Allied Agency.

IV. Termination of Certification

***** UNLESS RENEWED, THIS MOU WILL EXPIRE ON AUGUST 1, 2027 *****

To prevent a loss of authority to conduct weight enforcement inspections, please email DPS with your renewal request between the 60th and 30th day prior to the expiration of your current MOU. If the Allied Agency does not sign the renewal and mail it in to DPS before its current MOU expiration date, certified officers must cease performing all weight enforcement activities, until DPS receives the new fully executed MOU.


1. DPS may issue a warning to Allied Agency if Allied Agency fails to comply with MOU requirements in such a way that DPS deems that the weight enforcement action being taken is contrary to established training and statute. Failure to immediately correct any compliance issue or comply with the required remittance of assessed fines to the Comptroller of Public Accounts may result in the termination of the established MOU and the decertification of Allied Agency.
2. DPS may decertify the Allied Agency if the agency does not have a certified officer within one year of joining the MCSAP program and if an agency no longer has certified officers due to promotion, retirement, resignation or transfer they must certify an officer within one year of last officer's removal date.

V. Program Coordinators and Signatory Acceptance

Allied Agency's weight enforcement coordinators are responsible for all communications and contacts required to manage this MOU. The coordinators must provide any updates regarding contact information within 30 calendar days.

DPS Program Coordinator:

Captain Richard Reid
 THP Motor Carrier Bureau
 P.O. Box 4087
 Austin, Texas 78773-0522
 Phone: (512) 424-2053
 Fax: (512) 424-5712
Richard.Reid@dps.texas.gov

Allied Agency Program Coordinator <i>(name and title here)</i>	Allied Agency Authorized Representative <i>(name and title here)</i> Mark Henry, County Judge
<i>Insert address</i>	Signature of Authorized Representative 
<i>Insert phone, fax, and email</i>	Date: December 8th, 2025