

What About Those County Roads with the Cattle Guards?

Posted on [May 25, 2020](#) by [tiffany.dowell](#)

Question: I live in a county with a stock law, so a livestock owner may not “permit” livestock to run at large. There are several county roads that run through a pasture with cattle guards at both ends that are not fenced. Are those livestock owners violating the local stock law?



Image by [StockSnap](#) from [Pixabay](#)

Answer: This is a question I’ve gotten from several folks all across the state, including landowners and even a county judge. Although it seems that those landowners allowing cattle to be on the county road would be violating the local stock law, there is actually a statutory provision in the Texas Agriculture Code that allows this type of grazing.

[Texas Agriculture Code Section 143.003](#), passed in 2007, states that “cattle on a county road are not considered to be running at large” if the county road meets these two factors: (1) the road separates two tracts of land under common

ownership or lease; and (2) the road contains a cattle guard constructed as authorized under the Texas Transportation Code Section [251.009](#) that serves as part of the fencing of the two tracts.

That this means, then, is that while it is true that livestock are not permitted to run at large, if these two requirements are met, having them in the pasture that is split by the county road is not permitting them to run at large. Therefore, doing so does not violate the duty owed pursuant to the local stock law.