

- SUBJECT:** Allowing joint-board airports to enforce parking violations
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 7 ayes — Alexander, Edwards, Hamric, Hawley, Hill, Noriega, Uher
0 nays
2 absent — Siebert, Y. Davis
- WITNESSES:** For —None
Against —Roger Nelson, City of Grapevine
- BACKGROUND:** Under current law, cities above a certain population size may boot or impound cars, impose additional fines, or deny or revoke parking permits when tickets for parking or stopping ordinances are ignored. This option is available to cities operating under a council-manager form of government with populations greater than 125,000, and to all cities with populations greater than 500,000, under Transportation Code, Chapter 682.
- Airports may be operated by joint boards, which, as defined in Transportation Code, sec.22.074, represent joint enterprises between public agencies such as a local government, a state or federal agency, or a political subdivision or agency of another state. The governing body of each public agency appoints its respective representatives to the joint board, which manages their interests in the operation of an airport, air navigation facility, or airport hazard area.
- DIGEST:** HB 2043 would authorize an airport operated by a joint board to declare a violation of its parking or stopping regulations to be a civil offense, amending Transportation Code, Chapter 682.
- A joint board could, by resolution, rule or order, adopt a hearing procedure, draft the content of the traffic ordinance to be adjudicated, and receive a bond from a person appealing a given decision on a traffic violation. The bill would direct the hearing clerk to file an order made in relation to a traffic court decision with a person designated by the joint board.
- HB 2043 generally would add revocation, as well as denial, of a parking

permit to the list of enforcement measures available to an eligible municipality and airport and would add operating permits as well.

HB 2043 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

**SUPPORTERS
SAY:**

HB 2043 would give airports operated by joint boards a means of putting teeth into their efforts to enforce parking and stop sign regulations. Travelers passing through the airport, or visiting only occasionally, have little incentive to take airport parking citations seriously.

About 11,000 tickets a year are issued at Dallas-Fort Worth International Airport to be collected by the adjoining city of Grapevine. DFW is not reimbursed for the cost of issuing these tickets. Airport officials complain that Grapevine winds up dismissing many of these tickets

HB 2043 would give an airport legal authority to prosecute parking and stop sign offenses, imposing additional civil penalties on drivers who fail to pay. The bill would help airports pay the costs of enforcing regulations and issuing tickets and force drivers to respect their regulations.

Shortages of parking space are an increasing problem at airports. This bill would help not only airports, but other travelers who are harmed when inconsiderate drivers violate parking and stopping regulations. With the stronger enforcement mechanisms provided by the bill, airport motorists would be less inclined to violate no parking zones or commit other traffic infractions.

The fiscal note states would have no adverse fiscal impact on the state or to any unit of local government.

**OPPONENTS
SAY:**

HB 2040 would undermine the jurisdiction of cities that adjudicate traffic offenses at airports. This would be a particular problem for municipalities that are not represented on the joint board that governs the airport. The city of Grapevine, for example, has no representative on the DFW board and would lose jurisdiction over DFW traffic ticket processing, also losing revenue.

Although the fiscal note estimates that there would be no net cost to state or local government as a result of HB 2043, the city of Grapevine estimates that it would lose about \$62,000 a year.

The state of Texas receives a portion of this revenue and may lose money as well. City officials say they only actually dismiss about 40 percent of traffic tickets, a similar percentage of dismissals averaged by other, larger cities. The solution is to provide more resources for processing ticket offenses, not force a city to give up its jurisdiction to an airport.

NOTES:

The companion bill, SB 787 by Harris, passed the Senate on the Local and Uncontested Calendar on April 19 and was reported favorably, without amendment by the House Transportation Committee on April 21, making it eligible to be considered in lieu of HB 2043.

A similar bill, HB 516 by Gray, which would reduce the population limits for eligible municipalities that may enforce parking offenses, was scheduled for House consideration on second reading on April 21.