

## **BILL ANALYSIS**

Senate Research Center

H.B. 1703  
By: Gallego (Madla)  
Intergovernmental Relations  
5/11/1999  
Engrossed

### **DIGEST**

Currently, the state or a political subdivision is not authorized to enforce traffic rules and regulations on private property such as privately-owned subdivisions and gated-communities. Residents in some subdivisions may be unable to generate enough revenue to pay the contractors to enforce traffic laws within the subdivision. This bill would authorize a commissioners court of a county to extend traffic rules and regulations to roads in certain private subdivisions.

### **PURPOSE**

As proposed, H.B. 1703 authorizes a commissioners court of a county to extend traffic rules and regulations to roads in certain private subdivisions.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to a commissioners court of a county in SECTION 1 (Section 542.007, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 542A, Transportation Code, by adding Section 542.007, as follows:

Sec. 542.007. TRAFFIC REGULATIONS; PRIVATE SUBDIVISION IN CERTAIN COUNTIES. Provides that this section applies only to a subdivision that is located in the unincorporated area of a county with a population of 10,000 or less. Authorizes the commissioners court of a county (commissioners court), by order, to extend traffic rules that apply to a county road to the roads of a subdivision in which the roads are privately maintained, on petition of 25 percent of the property owners of the subdivision or at the request of the governing body of the entity that maintains the roads, if the commissioners court finds the order in the interest of the county generally. Requires the petition to specify the traffic rules that are sought to be extended, and authorizes the court order to extend all of the requested traffic rules. Authorizes the commissioner court to require the property owners of the subdivision pay all or part of the cost of extending and enforcing the traffic rules. Requires the commissioners court to consult with the sheriff of the county to determine the cost of enforcing the traffic rules in the subdivision. Provides that on issuance of an order under this section, the private roads in the subdivision are considered to be county roads. Authorizes the commissioners court to place official traffic control devices on property abutting the private roads if those devices relate to the specified traffic rule, and the consent of the owner of that property is obtained.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.