

BILL ANALYSIS

Senate Research Center
77R7022 JD-D

H.B. 2173
By: Krusee (Ogden)
Intergovernmental Relations
5/4/2001
Engrossed

DIGEST AND PURPOSE

Under current law, both cities and counties have the power to regulate the stopping, standing, and parking of vehicles, but the powers are not identical. Counties are not permitted to make a presumption that the registered owner of the motor vehicle is the person who stopped, stood, or parked the vehicle at the time and place the offense occurred. Instead they must prove in court that the person who received the ticket was actually the person who committed the violation. H.B. 2173 authorizes counties to make the same presumption as cities regarding parking violations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 251.156, Transportation Code, to authorize the commissioners court of a county by order to provide that in a prosecution for an offense involving the stopping, standing, or parking of an unattended motor vehicle in a restricted traffic zone on property described by Section 251.151, it is presumed that the registered owner of the vehicle is the person who stopped, stood, or parked the vehicle at the time and place the offense occurred. Makes a nonsubstantive change.

SECTION 2. Amends Chapter 545G, Transportation Code, by adding Section 545.308, as follows:

Sec. 545.308. PRESUMPTION. Authorizes the governing body of a local authority, by ordinance, order, or other official action, to provide that in a prosecution for an offense under this subchapter involving the stopping, standing, or parking of an unattended motor vehicle it is presumed that the registered owner of the vehicle is the person who stopped, stood, or parked the vehicle at the time and place the offense occurred.

SECTION 3. Effective date: September 1, 2001.