

BILL ANALYSIS

Senate Research Center
78R1053 JD-D

S.B. 361
By: Shapiro
Infrastructure Development and Security
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As Filed

DIGEST AND PURPOSE

Recently, the Texas Department of Transportation reviewed municipal highway access rules, specifically those regarding the distance between curb cuts along state highways, causing concern in local communities about safety, local control, and economic development. The review significantly impacts the viability of frontage roads and existing municipal plans for infrastructure development and growth that are based on current local access management plans. As proposed, S.B. 361 requires the Texas Transportation Commission to conform to any existing municipal access management guidelines and grants local control over planning and managing local projects.

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 203.032, Transportation Code, as follows:

Sec. 203.032. PRECEDENCE OF COMMISSION ORDER. (a) Creates Subsection (a) from existing text.

(b) Prohibits the Texas Transportation Commission (commission) from adopting or enforcing an order under Section 203.031 that is applicable to highways located in a municipality, including a home-rule municipality and that is inconsistent with a highway access rule or ordinance adopted by the governing board of that municipality before the effective date of the order, notwithstanding Subsection (a), which provides that a commission order takes precedence.

SECTION 2. Effective date: upon passage or September 1, 2003.