

BILL ANALYSIS

Senate Research Center
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H.B. 2541
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Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, roads in special districts are not subject to any kind of traffic enforcement by the special district, a city, or a county. H.B. 2541 provides authority for certain counties to regulate traffic in a special district.

Specifically, H.B. 2541 grants a county commissioners court in a county of less than one million the authority to regulate roads within a special district if 50 percent of the property owners in the district petition for the regulation and the petition specifies which traffic rules they are requesting and which roads they wish to be affected.

H.B. 2541 amends current law relating to the regulation of traffic on certain roads by counties.

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 Subchapter A, Chapter 542, Transportation Code, by adding Section 542.0081, as follows:

Sec. 542.0081. TRAFFIC REGULATIONS: SPECIAL DISTRICT IN CERTAIN COUNTIES. (a) Provides that this section applies only to a road owned or maintained by a special district that is located in the unincorporated area of a county with a population of less than one million.

(b) Authorizes the residents of all or any portion of a special district to file a petition with the commissioners court of the county in which the roads are located requesting that county enforcement of traffic rules on county roads be extended to the roads of the district. Requires that the petition specify the roads over which county enforcement is sought, specify the traffic rules for which county enforcement is sought, and be signed by 50 percent of the property owners residing in the area that is served by the roads of the district over which county enforcement is sought.

(c) Requires the commissioners court, if the commissioners court finds that granting the request is in the interest of the county generally, to by order extend the enforcement of traffic rules by the county to the roads of the district specified in the petition. Authorizes that the order grant enforcement of some or all traffic rules requested in the petition.

(d) Authorizes the commissioners court, as a condition of extending a traffic rule under Subsection (c), to require the special district to pay for all or a part of the costs of extending enforcement to the roads of the district. Requires the commissioners court to consult with the sheriff to determine the cost of extending enforcement.

(e) Provides that on issuance of an order under this section, the roads specified in the order are considered to be county roads for the purposes of the application and enforcement of the specified traffic rules. Authorizes the commissioners court to place official traffic control devices on the right-of-way of the roads of the district if those devices relate to the specified traffic rules.

SECTION 2. Effective date: upon passage or September 1, 2011.