

BILL ANALYSIS

Senate Research Center

H.B. 511
By: Wilson; Bucy (Schwertner)
Transportation
5/2/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that the increased focus of law enforcement on border safety initiatives hinders some police departments from enforcing commercial motor vehicle safety standards, which complicates local government efforts to maintain roadways. H.B. 511 seeks to address this issue by making a sheriff or a deputy sheriff of a county with a population of 400,000 or more that borders the county in which the State Capitol is located eligible to apply for certification to enforce commercial motor vehicle safety standards.

H.B. 511 amends current law relating to the enforcement of commercial motor vehicle safety standards in certain 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 Section 644.101, Transportation Code, by amending Subsections (a) and (c) and adding Subsection (c-1), as follows:

(a) Requires the Department of Public Safety of the State of Texas (DPS) to establish procedures, including training, for the certification of municipal police officers, sheriffs, deputy sheriffs, constables, and deputy constables, rather than the certification of municipal police officers, sheriffs, and deputy sheriffs, to enforce this chapter (Commercial Motor Vehicle Safety Standards).

(c) Provides that a sheriff, deputy sheriff, constable, or deputy constable of any of the following counties is eligible to apply for certification under this section (Certification of Certain Peace Officers):

- (1) a county bordering the United Mexican States;
- (2) a county with a population of 700,000 or more;
- (3) a county adjacent to a county with a population of 700,000 or more;
- (4) a county with a population of 400,000 or more that borders the county in which the State Capitol is located;
- (5) a county that has a population of more than 450,000 and borders a county with a population of more than 3.3 million; or
- (6) a county with a population of more than 500 and less than 1,000 all or part of which is located within 75 miles of the United Mexican States.

Deletes existing text providing that a sheriff or a deputy sheriff of a county bordering the United Mexican States or of a county with a population of 700,000 or more is eligible to apply for certification under this section.

(c-1) Provides that a sheriff, deputy sheriff, constable, or deputy constable of a county with a population of more than 450,000 that borders a county with a population of more than 3.3 million is eligible to apply for certification under this section.

SECTION 2. Amends Section 644.103(b), Transportation Code, to make a conforming change.

SECTION 3. Effective date: September 1, 2019.