

By: Toth

H.B. No. 1096

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the enforcement of commercial motor vehicle safety
3 standards in certain counties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 644.101, Transportation Code, is amended
6 by amending Subsection (a) and adding Subsection (c-1) to read as
7 follows:

8 (a) The department shall establish procedures, including
9 training, for the certification of municipal police officers,
10 sheriffs, ~~and~~ deputy sheriffs, constables, and deputy constables
11 to enforce this chapter.

12 (c-1) A constable or deputy constable of a county described
13 by this subsection is eligible to apply for certification under
14 this section. This subsection applies only to a constable or deputy
15 constable of a county:

16 (1) that is adjacent to a county with a population of
17 3.3 million or more; and

18 (2) in which a planned community is located that has
19 20,000 or more acres of land, that was originally established under
20 the Urban Growth and New Community Development Act of 1970 (42
21 U.S.C. Section 4501 et seq.), and that is subject to restrictive
22 covenants containing ad valorem or annual variable budget based
23 assessments on real property.

24 SECTION 2. Section 644.101(c), Transportation Code, as

1 amended by Chapters 169 (H.B. 917) and 478 (H.B. 511), Acts of the
2 86th Legislature, Regular Session, 2019, is reenacted and amended
3 to read as follows:

4 (c) A sheriff or a deputy sheriff of any of the following
5 counties is eligible to apply for certification under this section:

6 (1) a county bordering the United Mexican States;

7 (2) a county with a population of less than 1,000, part
8 of which is located within 75 miles of an international border; ~~or~~

9 (3) ~~(2)~~ a county with a population of 700,000 or
10 more; ~~or~~

11 (4) ~~(3)~~ a county with a population of 400,000 or
12 more that borders the county in which the State Capitol is located;
13 or

14 (5) a county described by Subsection (c-1).

15 SECTION 3. Section 644.103(b), Transportation Code, is
16 amended to read as follows:

17 (b) A municipal police officer who is certified under
18 Section 644.101 may stop, enter, or detain on a highway or at a port
19 of entry within the territory of the municipality a motor vehicle
20 that is subject to this chapter. A sheriff, ~~or~~ deputy sheriff,
21 constable, or deputy constable who is certified under Section
22 644.101 may stop, enter, or detain on a highway or at a port of entry
23 within the territory of the county a motor vehicle that is subject
24 to this chapter.

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 1096

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2023.