

By: Lindsay

S.B. No. 37

A BILL TO BE ENTITLED

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AN ACT

relating to the precedence of highway access rules and ordinances of certain counties and municipalities over highway access management orders of the Texas Transportation Commission.

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

SECTION 1. Subsection (b), Section 203.032, Transportation Code, as added by Senate Bill No. 361, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(b) An order of the commission under Section 203.031(a)(2) or (4) does not supersede a conflicting rule or ordinance of a county with a population of 3.3 million or more, of a county adjacent to a county with a population of 3.3 million or more, or of a municipality, including a home-rule municipality, unless the United States Department of Transportation Federal Highway Administration notifies the department that enforcement of the county or municipal rule or ordinance would impair the ability of the state or the department to receive funds for highway construction or maintenance from the federal government.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect November 1, 2003.