

## **BILL ANALYSIS**

Senate Research Center  
78R6486 JTS-D

H.B. 2051  
By: Smith, Wayne (Lindsay)  
Infrastructure Development and Security  
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Engrossed

### **DIGEST AND PURPOSE**

Currently, there are no time limits placed on the processing of driveway permits by the Texas Department of Transportation (TxDOT). The time between the application for a permit and its approval or denial can range from six weeks to seven months. During this time span, builders wait and many lose money on the retention of needed professionals such as engineers and architects and on construction equipment rental. H.B. 2051 provides a timetable for the permitting of driveway permits by TxDOT.

### **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 C, Chapter 203, Transportation Code, by adding Section 203.035, as follows:

Sec. 203.035. ACCESS DRIVEWAY PERMITS. (a) Requires Texas Department of Transportation (TxDOT), not later than the 42nd day after the date TxDOT receives a complete application for a permit to construct an access driveway to a highway under TxDOT's jurisdiction to approve or deny the application. Provides that if TxDOT does not approve or deny the application on or before the 42nd day after the date TxDOT receives the application, the application is approved.

(b) Requires TxDOT, if TxDOT denies a complete application under Subsection (a), to send to the applicant written notice of the denial specifying the reasons for the denial. Requires TxDOT to approve or deny the application not later than the 30th day after the date TxDOT receives the resubmitted application, if the applicant resubmits the application. Provides that if TxDOT does not approve or deny the resubmitted application on or before the 30th day after the date TxDOT receives the application, the application is approved. Prohibits the application from being subsequently resubmitted, if TxDOT denies the resubmitted application.

SECTION 2. Effective date: September 1, 2003.  
Makes application of this Act prospective.