

By: Smith of Harris

H.B. No. 2051

A BILL TO BE ENTITLED

AN ACT

relating to permits for access driveways to certain highways.

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

SECTION 1. Subchapter C, Chapter 203, Transportation Code, is amended by adding Section 203.035 to read as follows:

Sec. 203.035. ACCESS DRIVEWAY PERMITS. (a) Not later than the 42nd day after the date the department receives a complete application for a permit to construct an access driveway to a highway under the department's jurisdiction the department shall approve or deny the application. If the department does not approve or deny the application on or before the 42nd day after the date the department receives the application, the application is approved.

(b) If the department denies a complete application under Subsection (a), the department shall send to the applicant written notice of the denial specifying the reasons for the denial. If the applicant resubmits the application, the department shall approve or deny the application not later than the 30th day after the date the department receives the resubmitted application. If the department does not approve or deny the resubmitted application on or before the 30th day after the date the department receives the application, the application is approved. If the department denies the resubmitted application, the application may not be subsequently resubmitted.

SECTION 2. This Act takes effect September 1, 2003, and

1 applies only to an application for an access driveway permit  
2 received by the Texas Department of Transportation on or after that  
3 date. An application for an access driveway permit received before  
4 the effective date of this Act is governed by the law in effect on  
5 the date the application was received, and the former law is  
6 continued in effect for that purpose.