

By: Shapiro

S.B. No. 361

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the precedence of certain municipal highway access
3 rules and ordinances over highway access management orders of the
4 Texas Transportation Commission.

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

6 SECTION 1. Section 203.032, Transportation Code, is amended
7 to read as follows:

8 Sec. 203.032. PRECEDENCE OF COMMISSION ORDER. (a) An
9 order of the commission under Section 203.031 supersedes a
10 conflicting rule or ordinance of a state agency or subdivision of
11 this state or any county or municipality, including a home-rule
12 municipality.

13 (b) Notwithstanding Subsection (a), the commission may not
14 adopt or enforce an order under Section 203.031 that:

15 (1) is applicable to highways located in a
16 municipality, including a home-rule municipality; and

17 (2) is inconsistent with a highway access rule or
18 ordinance adopted by the governing body of the municipality before
19 the effective date of the order.

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