

BILL ANALYSIS

C.S.H.B. 3234
By: Uresti
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, contractors are not responsible for providing safety signs and safety materials, such as, school signs with blinking lights, for every school they build.

CSHB 3234 requires safety equipment provisions in contracts for construction, repair, rehabilitation, or alteration of public school facilities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 3234 requires a school district to include in each contract for construction of a school facility a requirement that a contractor provide and install school crossing zone reduced-speed signs with flashing lights and any safety equipment for the facility or campus as required by law in effect at the time each contract for construction of a school facility is entered into. If there is more than one contract for construction of a facility, the district shall include the appropriate safety equipment requirement in each appropriate contract.

CSHB 3234 requires the school district to include in each contract for repair, rehabilitation, or alteration of a school facility, a requirement that the contractor provide and install any safety equipment required by law in effect at the time the contract is entered into and needed in connection with the portion of the facility where repair, rehabilitation, or alteration is performed. The bill requires the school district to include the appropriate safety equipment in each appropriate contract, if there is more than one contract for repair, rehabilitation, or alteration of the facility. Any safety equipment or device installed by a contractor in compliance of this bill must comply with requirement of the Transportation code.

CSHB 3234 sets forth a definition for local road authority. Not later than the 15th day after the date a school district approves a plat for construction of a school facility, the district is required to deliver notice of pending construction to the Texas Department of Transportation and the local road authority as designated. The school district is required to cooperate with the Texas Department of Transportation or local road authority in determining traffic needs associated with the proposed facility. Approval of all devices and safety equipment must occur as designated.

The safety equipment provision in contracts section applies to any contract entered into by a school district for construction, repair, rehabilitation or alteration of a school facility on or after September 1, 2005.

The section of notice to Texas Department of Transportation or local road authority required, applies to any contract entered into by a school district for construction of a school facility on or after September 1, 2005.

EFFECTIVE DATE

This Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 3234 adds language that any safety equipment or device installed by a contractor is to comply with the requirements and specifications of the Transportation Code as designated. The substitute also creates language as to the notice requirements to the Texas Department of Transportation or local road authority as applicable and designated. The substitute adds that a school district is required to cooperate with designated entities in determining the traffic needs associated with the proposed facility. Additionally, the substitute creates that the proper approval of all devices and safety equipment are to be met.

The substitute adds that the section of notice to Texas Department of Transportation or local road authority required, applies to any contract entered into by a school district for construction of a school facility on or after September 1, 2005.