

## **BILL ANALYSIS**

S.B. 637  
By: Lindsay  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, Texas Department of Transportation (TxDOT) rules regarding highway access supersede a county's access management plan. SB 637 provides that the Texas Transportation Commission's orders under Section 203.031 (Control of Access) do not supersede highway access rules adopted by the commissioners court of certain counties, unless the United States Department of Transportation Federal Highway Administration notifies TxDOT that enforcement of the rule, ordinance, resolution, or order would impair the ability of the state or TxDOT to receive federal highway funds.

### **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**

SECTION 1. Amends Section 203.032(b), Transportation Code, as follows:

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

SECTION 2. Effective date: upon passage or September 1, 2005.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.