

By: Lindsay

S.B. No. 637

A BILL TO BE ENTITLED

AN ACT

relating to the precedence of certain county highway access rules and ordinances over highway access management orders of the Texas Transportation Commission.

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

SECTION 1. Section 203.032, Transportation Code, is amended by amending Subsection (a) and adding Subsections (b-1) and (d) to read as follows:

(a) Except as provided by Subsections [~~Subsection~~] (b) and (b-1), an order of the commission under Section 203.031 supersedes a conflicting rule or ordinance of a state agency or subdivision of this state or any county or municipality, including a home-rule municipality.

(b-1) The commission may not adopt or enforce an order under Section 203.031 that is applicable to a highway located in a county with a population of 3.3 million or more or in a county adjacent to a county with a population of 3.3 million or more and inconsistent with a highway access rule or ordinance adopted by the commissioners court of the county.

(d) Subsection (b-1) does not apply when the department owns the access rights by having specifically acquired abutters' rights of access from the adjacent property owner, by specific deed language so indicated, or when constructing limited access toll roads and parkways, built without frontage roads that would

1 otherwise allow access, unless preexisting abutters' rights of
2 access to an existing roadway are impacted.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2005.