

1-1 By: Lindsay S.B. No. 637
1-2 (In the Senate - Filed February 22, 2005; March 1, 2005,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; March 31, 2005, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 6,
1-6 Nays 0; March 31, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 637 By: Lindsay

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the precedence of certain county highway access rules
1-11 and ordinances over highway access management orders of the Texas
1-12 Transportation Commission.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (b), Section 203.032, Transportation
1-15 Code, is amended to read as follows:

1-16 (b) An order of the commission under Section 203.031(a)(2)
1-17 or (4) does not supersede a conflicting rule or ordinance of a
1-18 municipality, including a home-rule municipality, or a conflicting
1-19 ordinance, resolution, or order of a county with a population of 3.3
1-20 million or more or a county adjacent to a county with a population
1-21 of 3.3 million or more, unless the United States Department of
1-22 Transportation Federal Highway Administration notifies the
1-23 department that enforcement of the [municipal] rule, [or]
1-24 ordinance, resolution, or order would impair the ability of the
1-25 state or the department to receive funds for highway construction
1-26 or maintenance from the federal government.

1-27 SECTION 2. This Act takes effect immediately if it receives
1-28 a vote of two-thirds of all the members elected to each house, as
1-29 provided by Section 39, Article III, Texas Constitution. If this
1-30 Act does not receive the vote necessary for immediate effect, this
1-31 Act takes effect September 1, 2005.

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