

BILL ANALYSIS

Senate Research Center
80R17102 KSD-D

C.S.H.B. 1717
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Intergovernmental Relations
5/1/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Across Texas, there are certain devices resembling fire hydrants in places where fire hydrants are expected to be placed. However, these devices are not usable for fire suppression. As a result, a fire department that does not know that these hydrants are not usable and are unable to obtain water flow, as well as persons in or near the area where a fire has broken out, face serious safety concerns. Such safety concerns may be avoided if those hydrants are identified as non-serviceable.

C.S.H.B. 1717 requires that all devices that resemble a fire hydrant but are nonfunctioning or unavailable for use in fire suppression be painted black or, if the device is temporarily nonfunctioning or unavailable for use, covered with a black tarp for no more than seven days.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 341, Health and Safety Code, by adding Section 341.0357, as follows:

Sec. 341.0357. IDENTIFICATION REQUIREMENT FOR DEVICE WITH APPEARANCE OF FIRE HYDRANT THAT IS NONFUNCTIONING OR UNAVAILABLE FOR USE IN FIRE EMERGENCY. (a) Requires the owner of any device having the appearance of a fire hydrant that is located in a place that an entity responsible for providing fire suppression services in a fire emergency would expect a fire hydrant to typically be located to paint the device black if the device is nonfunctioning or otherwise unavailable for use by the entity providing fire suppression services in a fire emergency. Authorizes the owner to place a black tarp over the device instead of painting the device black as required under this section if the device is temporarily nonfunctioning, or temporarily unavailable for use in a fire emergency, for a period not to exceed seven days.

(b) Provides that, for the purposes of this section, a device is considered to be nonfunctioning if the device pumps less than 250 gallons of water per minute.

(c) Provides that this section does not apply within the jurisdiction of a governmental entity that maintains its own system for labeling a device having the appearance of a fire hydrant that is nonfunctioning or otherwise unavailable for use in a fire emergency.

SECTION 2. Requires an owner of a device described in this Act, not later than January 1, 2008, to ensure that the device complies with the requirement imposed by this Act.

SECTION 3. Effective date: upon passage or September 1, 2007.