

By: Martinez Fischer

H.B. No. 1798

A BILL TO BE ENTITLED

AN ACT

relating to restricted access to metropolitan transit authority
right of way; providing penalties.

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

SECTION 1. Subchapter B, Chapter 451, Transportation Code,
is amended by adding Section 451.072 to read as follows:

Sec. 451.072. RESTRICTED ACCESS; RIGHT OF WAY. (a) An
operator of a motor vehicle may not drive on the right of way
established by an authority.

(b) An offense under this section is a misdemeanor
punishable by:

(1) a fine not to exceed \$200;

(2) confinement in county jail for not more than 30
days; or

(3) both the fine and the confinement.

(c) A limitation in this section on driving on the right of
way established by an authority does not apply to:

(1) an emergency vehicle responding to a call; or

(2) a vehicle maintained by an authority.

(d) This section shall be enforced by a commissioned peace
officer acting in his or her jurisdiction.

SECTION 2. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.