

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Harless

H.B. No. 1522

A BILL TO BE ENTITLED

AN ACT

relating to parking a commercial motor vehicle on certain streets.

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

SECTION 1. The heading to Section 545.307, Transportation Code, is amended to read as follows:

Sec. 545.307. OVERNIGHT PARKING OF COMMERCIAL MOTOR VEHICLE IN OR NEAR RESIDENTIAL SUBDIVISION.

SECTION 2. Section 545.307, Transportation Code, is amended by amending Subsections (b) and (c) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (b-1), after [After] 10 p.m. and before 6 a.m., a person may not park a commercial motor vehicle or leave the vehicle parked on a street that is maintained by a county or municipality and [of a residential subdivision] for which signs are posted as provided by Subsection (c) if the street:

(1) is located within a residential subdivision; or  
(2) is adjacent to a residential subdivision and within 1,000 feet of the property line of a residence, school, place of worship, or park.

(b-1) A person may park a commercial motor vehicle or leave the vehicle parked on a street for which signs are posted as provided by Subsection (c) if [unless] the commercial motor vehicle:

(1) is transporting persons or property to or from the

1 residential subdivision or performing work in the subdivision; and

2 (2) remains parked in or adjacent to the subdivision  
3 only for the period necessary to complete the transportation or  
4 work.

5 (c) The residents of a residential subdivision may petition  
6 a county or municipality in which the subdivision is located for the  
7 posting of signs prohibiting the overnight parking of a commercial  
8 motor vehicle in the subdivision or on a street adjacent to the  
9 subdivision and within 1,000 feet of the property line of a  
10 residence, school, place of worship, or park. The petition must be  
11 signed by at least 25 percent of the owners or tenants of residences  
12 in the subdivision. Not more than one person for each residence may  
13 sign the petition, and each person signing must be at least 18 years  
14 of age. Promptly after the filing of a petition meeting the  
15 requirements of this subsection and subject to Subsection (d), the  
16 county or municipality receiving the petition shall post the signs.  
17 The signs must:

18 (1) be posted:

19 (A) at each entrance of the subdivision through  
20 which a commercial motor vehicle may enter the subdivision or  
21 within the subdivision if there is not defined entrance to the  
22 subdivision; or

23 (B) on a street adjacent to the subdivision; and

24 (2) state, in letters at least two inches in height,  
25 that overnight parking of a commercial motor vehicle is prohibited  
26 in the subdivision or on a street adjacent to the subdivision.

27 SECTION 3. This Act takes effect September 1, 2007.

ADOPTED

MAY 21 2007

*Lotay Spaw*  
Secretary of the Senate

By: Harless/Williams

H.B. No. 1522

Substitute the following for H.B. No. 1522 :

By: Nichols

C.S. H.B. No. 1522

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SECTION 2. Section 545.307, Transportation Code, is amended by amending Subsections (b) and (c) and adding Subsections (b-1) and (h) to read as follows:

(b) Except as provided by Subsection (b-1), after ~~[After]~~ 10 p.m. and before 6 a.m., a person may not park a commercial motor vehicle or leave the vehicle parked on a street that is maintained by a county or municipality and ~~[of a residential subdivision]~~ for which signs are posted as provided by Subsection (c) if the street:

(1) is located within a residential subdivision; or

(2) is adjacent to a residential subdivision and within 1,000 feet of the property line of a residence, school, place of worship, or park.

(b-1) A person may park a commercial motor vehicle or leave the vehicle parked on a street for which signs are posted as provided by Subsection (c) if ~~[unless]~~ the commercial motor vehicle:

(1) is transporting persons or property to or from the

1 residential subdivision or performing work in the subdivision; and  
2 (2) remains parked in or adjacent to the subdivision  
3 only for the period necessary to complete the transportation or  
4 work.

5 (c) The residents of a residential subdivision may petition  
6 a county or municipality in which the subdivision is located for the  
7 posting of signs prohibiting the overnight parking of a commercial  
8 motor vehicle in the subdivision or on a street adjacent to the  
9 subdivision and within 1,000 feet of the property line of a  
10 residence, school, place of worship, or park. The petition must be  
11 signed by at least 25 percent of the owners or tenants of residences  
12 in the subdivision. Not more than one person for each residence may  
13 sign the petition, and each person signing must be at least 18 years  
14 of age. Promptly after the filing of a petition meeting the  
15 requirements of this subsection and subject to Subsection (d), the  
16 county or municipality receiving the petition shall post the signs.  
17 The signs must:

18 (1) be posted:

19 (A) at each entrance of the subdivision through  
20 which a commercial motor vehicle may enter the subdivision or  
21 within the subdivision if there is not defined entrance to the  
22 subdivision; or

23 (B) on a street adjacent to the subdivision; and

24 (2) state, in letters at least two inches in height,  
25 that overnight parking of a commercial motor vehicle is prohibited  
26 in the subdivision or on a street adjacent to the subdivision.

27 (h) This section does not apply to a vehicle owned by a

1 utility that an employee of the utility who is on call 24 hours a day  
2 parks at the employee's residence.

3 SECTION 3. This Act takes effect September 1, 2007.

# ADOPTED

FLOOR AMENDMENT NO. 1

MAY 21 2007

BY: Hinojosa

*Leta Spain*  
Secretary of the Senate

1 Amend C.S.H.B. No. 1522 (Senate Committee Printing) in  
2 SECTION 2 of the bill, Section 545.307, Transportation Code  
3 (page 1, lines 59 through 61), by striking proposed Subsection  
4 (h) and substituting the following:

5 (h) This section does not apply to:


6 (1) a vehicle owned by a utility that an employee of  
7 the utility who is on call 24 hours a day parks at the  
8 employee's residence; or

9 (2) a commercial motor vehicle that is registered to a  
10 person who lives in a residence located in the residential  
11 subdivision.

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Amendment No. 2

By:



Amend Floor Amendment No. 1 (Hinojosa) to C.S.H.B. 1522 as follows:

(1) At page 1, line 8, after "residence;" strike "or";


(2) At page 1, line 11, after the word "subdivision", insert the following:

; or

(3) a vehicle owned by a commercial establishment that is parked on the street adjacent to where the establishment is located".

**ADOPTED**

MAY 21 2007

  
Secretary of the Senate

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 17, 2007**

**TO:** Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1522** by Harless (Relating to parking a commercial motor vehicle on certain streets.),  
**Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, KJG, DB



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 14, 2007**

**TO:** Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1522** by Harless (Relating to parking a commercial motor vehicle on certain streets.), As  
**Engrossed**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, KJG, DB

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**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 4, 2007**

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1522** by Harless (Relating to parking a commercial motor vehicle on certain streets.),  
**Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, KJG, DB

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 13, 2007**

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1522** by Harless (Relating to parking a commercial motor vehicle on certain streets.), **As Introduced**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, KJG, DB