

House Bill 1522
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 residential subdivision or performing work in the subdivision; and

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

SENATE VERSION

Same as House version.

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 residential subdivision or performing work in the subdivision; and

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

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

The signs must:

(1) be posted;

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

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

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

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

The signs must:

(1) be posted;

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

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

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

(h) This section does not apply to:

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

(2) a commercial motor vehicle that is registered to a

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person who lives in a residence located in the residential subdivision; or
(3) a vehicle owned by a commercial establishment that is parked on the street adjacent to where the establishment is located.

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

Same as House version.