

## **BILL ANALYSIS**

C.S.H.B. 869  
By: Farabee  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, there is no explicit language in statute that exempts the operator of a public service vehicle from being cited for a traffic violation if the operator is stopped, parked, or standing outside of a business or residence. Without specific language, a vehicle operator can be cited for performing the operator's intended function, such as trash pickup, roadway inspection, or package delivery.

C.S.H.B. 869 exempts operators of certain public service vehicles from the law governing stopping, standing, or parking outside a business or residence district.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 869 amends the Transportation Code to exempt from the law governing stopping, standing, or parking outside a business or residence district an operator of: a vehicle owned by the Texas Department of Transportation, a county, a municipality, or another political subdivision of Texas operated at the time in connection with the construction, maintenance, or repair of a highway; a vehicle owned by a public or private electric, water, sewer, natural gas, solid waste disposal, or drainage utility operated at the time in connection with the construction, maintenance, or repair of property or a facility of the utility; a vehicle used exclusively to transport solid, semisolid, or liquid waste operated at the time in connection with the removal or transportation of solid, semisolid, or liquid waste from a location adjacent to a highway; a tow truck operated at the time in connection with the removal of a disabled vehicle from a highway; a vehicle owned by the United States Postal Service or any other person operated at the time in connection with the delivery of mail; a vehicle owned by a commercial courier operated at the time in the connection with the delivery of parcels; a vehicle owned by a telecommunications provider operated at the time in connection with the construction, maintenance, or repair of property or a facility of the provider; or a vehicle owned by a cable service provider or a video service provider operated at the time in connection with the construction, maintenance, or repair of property or a facility of the provider. The bill defines "tow truck," "telecommunications provider," "cable service provider," and "video service provider."

### **EFFECTIVE DATE**

September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 869 adds provisions not in the original to exempt from the law governing stopping, standing, or parking outside a business or residence district an operator of: a vehicle owned by

the United States Postal Service or any other person operated at the time in connection with the delivery of mail; a vehicle owned by a commercial courier operated at the time in the connection with the delivery of parcels; a vehicle owned by a telecommunications provider operated at the time in connection with the construction, maintenance, or repair of property or a facility of the provider; or a vehicle owned by a cable service provider or a video service provider operated at the time in connection with the construction, maintenance, or repair of property or a facility of the provider.