

By: Laubenberg

H.B. No. 1701

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the regulation of certain activities on a public  
3 highway or road, the right-of-way of a public highway or road, or a  
4 parking lot.

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

6 SECTION 1. The heading to Chapter 285, Transportation Code,  
7 is amended to read as follows:

8 CHAPTER 285. COUNTY REGULATION OF ROADSIDE VENDOR AND SOLICITOR  
9 [IN CERTAIN COUNTIES]

10 SECTION 2. Section 285.001, Transportation Code, is amended  
11 to read as follows:

12 Sec. 285.001. REGULATION OF ROADSIDE VENDOR AND  
13 SOLICITOR. To promote the public safety, the commissioners court of  
14 a county [~~with a population of more than 1.3 million~~] by order may  
15 regulate the following in the unincorporated area of the county if  
16 they occur on a public highway or road, in the right-of-way of a  
17 public highway or road, or in a parking lot:

18 (1) the sale of items by a vendor of food or  
19 merchandise, including live animals;

20 (2) the erection, maintenance, or placement of a  
21 structure by a vendor of food or merchandise, including live  
22 animals; and

23 (3) the solicitation of money.

24 SECTION 3. This Act takes effect September 1, 2009.