

BILL ANALYSIS

C.S.H.B. 1737
By: Bohac
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a property owners' association may not install and maintain speed feedback or electronic speed limit signs. A significant number of the members of property owners' associations in Texas have families with children and want additional tools to secure the safety of children, pedestrians, and cyclists within their respective jurisdictions. They have expressed interest in having the option to install and maintain speed feedback cameras to increase speed awareness and alert motorists using thoroughfares in the association's jurisdiction. C.S.H.B. 1737 seeks to give a property owners' association an additional safety tool by authorizing the association to install a speed feedback sign on a road, highway, or street within the association's jurisdiction, at the expense of the association, under certain conditions.

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. 1737 amends the Transportation Code to authorize a property owners' association to install a speed feedback sign on a road, highway, or street in the association's jurisdiction if the association receives the consent of the governing body of the political subdivision that maintains the road, highway, or street for the placement of the sign and the association pays for the installation. The bill establishes that a property owners' association that installs a speed feedback sign under the bill's provisions is responsible for the maintenance of the sign. The bill provides for the meaning of "property owners' association" by reference to Property Code provisions governing the powers of a property owners' association relating to restrictive covenants in certain subdivisions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1737 contains a provision not included in the original establishing that a property owners' association that installs a speed feedback sign is responsible for the maintenance of the sign. The substitute differs from the original by defining "property owners' association" by reference to Property Code provisions governing the powers of a property owners' association relating to restrictive covenants in certain subdivisions, whereas the original defines the term by reference to Property Code provisions governing the construction and enforcement of restrictive covenants.