

BILL ANALYSIS

H.B. 2541
By: Solomons
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Observers note that counties and special districts are not authorized to enforce traffic rules on roads owned and maintained by a special district and they contend that legislation is required to allow a county to perform that function. The observers assert that one way to achieve that goal in certain counties is to have property owners residing in the area that is served by the roads of the district over which county enforcement is sought participate in a petition process requesting such enforcement.

H.B. 2541 seeks to remedy this situation by changing statutes relating to the regulation of traffic on certain roads by certain counties.

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

H.B. 2541 amends the Transportation Code to authorize the residents of all or any portion of a special district to file a petition with the commissioners court of a county with a population of less than one million and in which a road owned or maintained by the special district that is in the unincorporated area of the county is located requesting that county enforcement of traffic rules on county roads be extended to the roads of the district. The bill requires the petition to specify the roads over which county enforcement is sought and the traffic rules for which county enforcement is sought and be signed by 50 percent of the property owners residing in the area that is served by the roads of the district over which county enforcement is sought.

H.B. 2541 requires the commissioners court by order to extend the enforcement of traffic rules by the county to the roads of the district specified in the petition if the commissioners court finds that granting the request is in the interest of the county generally. The bill authorizes the order to grant enforcement of some or all traffic rules requested in the petition. The bill authorizes the commissioners court, as a condition of extending a traffic rule to the roads of the district, to require the special district to pay for all or a part of the costs of extending enforcement to the roads of the district and requires the commissioners court to consult with the sheriff to determine the cost of extending enforcement.

H.B. 2541 requires the roads specified in the commissioners court's order, on issuance of the order, to be considered county roads for the purposes of the application and enforcement of the specified traffic rules and authorizes the commissioners court to place official traffic control devices on the right-of-way of the roads of the district if those devices relate to the specified traffic rules.

EFFECTIVE DATE

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