

## **BILL ANALYSIS**

C.S.H.B. 2330  
By: Gooden  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties contend that the enforcement of traffic laws on public roads that are owned by conservation and reclamations districts can be problematic because such roads are outside the jurisdiction of any municipality or county. The parties further note that the districts often lack adequate enforcement capabilities. C.S.H.B. 2330 seeks to address this gap in traffic law enforcement.

### **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. 2330 amends the Government Code to authorize a county commissioners court of a county with a population of more than 80,000 and less than 130,000 and that borders a county with a population of more than two million and less than four million to enter into an interlocal contract with the board of a conservation and reclamation district in order to apply the county's traffic regulations to a public road in the county that is owned, operated, and maintained by the district if the commissioners court finds that it is in the county's interest to regulate traffic on the public road.

C.S.H.B. 2330 amends the Transportation Code to authorize a county commissioners court by order to apply the county's traffic regulations to a public road in the county that is owned, operated, and maintained by a conservation and reclamation district and located wholly or partly in the county if the commissioners court and the board of the district have entered into such an interlocal contract. The bill establishes that a public road subject to such an order is considered to be a county road for purposes of applying a traffic regulation to the public road. The bill authorizes a county commissioners court to adopt regulations establishing a system of traffic control devices in restricted traffic zones on property abutting a public road that is the subject of such an order if the property is owned by the district that is subject to the order or is a public right-of-way.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

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

While C.S.H.B. 2330 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter C, Chapter 791, Government Code, is amended by adding Section 791.035 to read as follows:

Sec. 791.035. REGULATION OF TRAFFIC IN CERTAIN DISTRICTS.

The commissioners court of a county may enter into an interlocal contract with the board of a conservation and reclamation district organized or operating under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, to apply the county's traffic regulations to a public road in the county that is owned, operated, and maintained by the district if the commissioners court finds that it is in the county's interest to regulate traffic on the public road.

SECTION 2. Section 251.151, Transportation Code, is amended.

SECTION 3. Section 251.155(a), Transportation Code, is amended.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter C, Chapter 791, Government Code, is amended by adding Section 791.036 to read as follows:

Sec. 791.036. REGULATION OF TRAFFIC IN CERTAIN DISTRICTS. (a)

This section applies only to a county that has a population of more than 80,000 and less than 130,000 and borders a county with a population of more than 2 million and less than 4 million.

(b) The commissioners court of a county may enter into an interlocal contract with the board of a conservation and reclamation district organized or operating under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, to apply the county's traffic regulations to a public road in the county that is owned, operated, and maintained by the district if the commissioners court finds that it is in the county's interest to regulate traffic on the public road.

SECTION 2. Substantially the same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.