

BILL ANALYSIS

Senate Research Center

C.S.H.B. 3286
By: Schofield; Gates (Alvarado)
Transportation
5/19/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

While current law allows a county to ban the parking of a commercial vehicle overnight in a "residential subdivision," no similar protection exists for apartment complexes.

Counties are facing a problem where commercial vehicles, especially trailers, are left parked on the sides of public streets overnight so that the driver does not have to return the vehicle to the place of business or pay to park in a private lot overnight. This practice hinders road access and creates unsafe traffic conditions.

H.B. 3286 seeks to address this issue by providing for the placement of signs prohibiting overnight parking of a commercial motor vehicle near certain apartment complexes.

(Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 3286 amends current law relating to the overnight parking of a commercial motor vehicle near certain apartment complexes.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter G, Chapter 545, Transportation Code, by adding Section 545.3075, as follows:

Sec. 545.3075. OVERNIGHT PARKING OF COMMERCIAL MOTOR VEHICLE NEAR CERTAIN APARTMENT COMPLEXES. (a) Defines "apartment complex" and "commercial motor vehicle" for Section 545.3075.

(b) Provides that Section 545.3075 applies only to the unincorporated area of a county with a population of more than 3.3 million.

(c) Authorizes the owner or manager of an apartment complex to make a request to the county in which the apartment complex is located for the posting of official signs prohibiting the parking of a commercial motor vehicle in a public right-of-way adjacent to the complex after 10 p.m. and before 6 a.m. Requires that a request under this subsection be signed and in writing.

(d) Authorizes a county receiving a request under Subsection (c) to post one or more signs as requested or as the county determines to be necessary.

(e) Requires that a sign posted under Subsection (d) be posted in a certain manner and contain certain information.

(f) Provides that Section 545.3075 does not apply to a vehicle owned by a commercial establishment that is parked in the public right-of-way adjacent to the property where the establishment is located.

(g) Provides that Section 545.3075 does not apply to public rights-of-way that are part of the state highway system.

SECTION 2. Effective date: September 1, 2021.