

By: Schofield

H.B. No. 3286

Substitute the following for H.B. No. 3286:

By: Smithee

C.S.H.B. No. 3286

A BILL TO BE ENTITLED

AN ACT

relating to the overnight parking of a commercial motor vehicle near certain apartment complexes.

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

SECTION 1. Subchapter G, Chapter 545, Transportation Code, is amended by adding Section 545.3075 to read as follows:

Sec. 545.3075. OVERNIGHT PARKING OF COMMERCIAL MOTOR VEHICLE NEAR CERTAIN APARTMENT COMPLEXES. (a) In this section:

(1) "Apartment complex" means two or more dwellings in one or more buildings that are owned by the same owner, located on the same lot or tract, and managed by the same owner, agent, or management company.

(2) "Commercial motor vehicle" has the meaning assigned by Section 545.307.

(b) This section applies only to a county or municipality with a population of more than 220,000.

(c) The owner or manager of an apartment complex may make a request to a county or municipality 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. A request under this subsection must be signed and in writing.

(d) A county or municipality receiving a request under Subsection (c) may post one or more signs as requested or as the

1 county or municipality determines to be necessary.

2 (e) A sign posted under Subsection (d) must:

3 (1) be posted in the public right-of-way:

4 (A) not more than 10 feet from the property line
5 of the apartment complex; and

6 (B) facing the roadway; and

7 (2) include:

8 (A) a statement, in letters at least two inches
9 in height, that parking of a commercial motor vehicle is prohibited
10 from 10 p.m. to 6 a.m. in the public right-of-way or portion of the
11 public right-of-way; and

12 (B) arrows clearly indicating the area of the
13 public right-of-way subject to the parking restriction.

14 (f) This section does not apply to a vehicle owned by a
15 commercial establishment that is parked in the public right-of-way
16 adjacent to the property where the establishment is located.

17 SECTION 2. This Act takes effect September 1, 2021.