

By: Kolkhorst

S.B. No. 1053

A BILL TO BE ENTITLED

AN ACT

relating to commercial motor vehicle route restrictions in certain counties; creating a criminal offense.

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

SECTION 1. Subchapter K, Chapter 201, Transportation Code, is amended by adding Section 201.9015 to read as follows:

Sec. 201.9015. COMMERCIAL MOTOR VEHICLE ROUTE RESTRICTIONS IN CERTAIN COUNTIES. (a) In this section, "commercial motor vehicle" has the meaning assigned by Section 522.003.

(b) This section applies only to:

(1) a county that contains Interstate Highway 10 and U.S. Highway 77; and

(2) a highway that is under the jurisdiction of the department.

(c) A county may make a request to the commission to restrict the operation of commercial motor vehicles on highways in the county to routes designated by the county. Before making the request, the designated routes must be approved by the commissioners court of the county after notice and public hearing.

(d) As soon as practicable after receiving a county's request under Subsection (c), the commission shall restrict the operation of commercial motor vehicles on highways in the county to the routes designated in the request if the commission determines that the request satisfies the requirements of that subsection.

1       (e) The commission shall post signage for each highway for  
2 which the operation of a commercial motor vehicle is prohibited  
3 under this section notifying operators of commercial motor vehicles  
4 of the prohibition and the routes where the operation of a  
5 commercial motor vehicle is permitted. The signage must be posted  
6 at locations that enable operators of commercial motor vehicles to  
7 detour to avoid the prohibited highway.

8       (f) If the owner or operator of a commercial motor vehicle  
9 that is prohibited from using a highway under this section is  
10 aggrieved by the prohibition, the person may file with the county  
11 judge of the county in which the highway is located a written  
12 complaint that sets forth the nature of the grievance. On the  
13 filing of the complaint, the county judge immediately shall set the  
14 issue for a hearing to be held not later than the third day after the  
15 date on which the complaint is filed. The county judge shall  
16 provide the commission with written notice of the day and purpose of  
17 the hearing. The county judge shall hear testimony offered by the  
18 parties. On conclusion of the hearing, the county judge shall  
19 sustain, revoke, or modify the prohibition. The county judge's  
20 judgment is final as to the issues raised.

21       (g) A person commits an offense if the person operates a  
22 commercial motor vehicle in violation of a prohibition established  
23 under this section. An offense under this subsection is a Class C  
24 misdemeanor.

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