

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Schofield, Gates

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 (g) This section does not apply to public rights-of-way that  
18 are part of the state highway system.

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

By: Schofield/Alvarado

H.B. No. 3280

Substitute the following for H.B. No. 3280:

By: [Signature]

C.S. H.B. No. 3280

A BILL TO BE ENTITLED

**ADOPTED**

**MAY 27 2021**

*[Signature]*  
Secretary of the Senate

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(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 the unincorporated area of a county with a population of more than 3.3 million.

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

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

1 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

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9 height, that parking of a commercial motor vehicle is prohibited  
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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-  
16 way adjacent to the property where the establishment is located.

17 (g) This section does not apply to public rights-of-way that  
18 are part of the state highway system.

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

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 27, 2021**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB3286** by Schofield (Relating to the overnight parking of a commercial motor vehicle near certain apartment complexes.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, SD, AAL, CMA, DPE

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 19, 2021**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB3286** by Schofield (relating to the overnight parking of a commercial motor vehicle near certain apartment complexes.), **Committee Report 2nd House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AAL, CMA, DPE

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 18, 2021**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB3286** by Schofield (Relating to the overnight parking of a commercial motor vehicle near certain apartment complexes.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AAL, CMA, DPE

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 3, 2021**

**TO:** Honorable Terry Canales, Chair, House Committee on Transportation

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB3286** by Schofield (relating to the overnight parking of a commercial motor vehicle near certain apartment complexes.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AAL, CMA, DPE



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 5, 2021**

**TO:** Honorable Terry Canales, Chair, House Committee on Transportation

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB3286** by Schofield (Relating to the posting of certain parking signs in a public right-of-way by a local government.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AAL, CMA, DPE