

## **BILL ANALYSIS**

Senate Research Center  
88R3003 DIO-F

H.B. 1277  
By: Cain et al. (West)  
Transportation  
5/4/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Texans and most Americans remember the week in February 2021 when America, and nearly every Texas city and county, were covered with snow and ice, the results of Winter Storm Uri. But then-18-year-old Rodney "RJ" Reese has another reason to remember Tuesday, February 16, one he would likely want to forget.

Reese was arrested by Plano police, while walking home from work, for violating a section of the Transportation Code that makes it illegal to walk on a roadway if there is a sidewalk. However, body camera footage shows that the sidewalk and the neighborhood street were covered by ice and snow.

Reports say police received a 911 call notifying them of a Black man in a tee shirt, stumbling while walking down the street. The call was considered a welfare check. While still walking, Reese verbally responded to questions and comments from one of the officers. Eventually another patrol vehicle blocked his path and another officer approached him while dialogue continued. Reese repeatedly told officers he was fine and that he was almost home before being told that he was being detained. He was arrested and spent the night in jail. However, the charges were later dropped. Plano's police chief said the reason for the arrest was not consistent with why officers were dispatched.

H.B. 1277 repeals Section 552.006, Transportation Code, which also requires a pedestrian who is walking along a highway to walk on the left side of the road or on the shoulder facing traffic if there is not a sidewalk. The existing offense carries a Class C misdemeanor.

H.B. 1277 amends current law relating to pedestrian use of a sidewalk.

### **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. Repealer: Section 552.006(b) (relating to requiring a pedestrian walking along and on a highway to walk on the left side of the roadway or the shoulder of the highway facing oncoming traffic if a sidewalk is not provided), Transportation Code.

SECTION 2. Makes application of the repeal by this Act of Section 552.006(b), Transportation Code, prospective.

SECTION 3. Effective date: September 1, 2023.