

BILL ANALYSIS

H.B. 1277
By: Cain
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During Winter Storm Uri, as many roadways and sidewalks across the state were iced over or impassable, Rodney "RJ" Reese was arrested on the charge of a pedestrian in the roadway on his way home from work. Under current law, a pedestrian walking along and on a highway for which a sidewalk is not provided must walk on the left side of the roadway or the shoulder of the highway facing oncoming traffic, if possible. While the charges were dropped after Reese spent the night in jail, it has been suggested that this offense is so prescriptive and obscure that many Texans are responsible for traveling in this manner without knowing that their conduct may constitute an offense. H.B. 1277 seeks to address this issue by repealing the requirement for a pedestrian, if a sidewalk is not provided, to walk on the left side of the roadway or the shoulder of the highway facing oncoming traffic, if possible.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1277 repeals Section 552.006(b), Transportation Code, which requires a pedestrian walking along and on a highway for which an adjacent sidewalk is not provided to walk on the left side of the roadway or the shoulder of the highway facing oncoming traffic, if possible. The bill does not apply to an offense committed before the bill's effective date.

EFFECTIVE DATE

September 1, 2023.