

BILL ANALYSIS

C.S.H.B. 2681
By: Frazier
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Each year, hundreds of emergency responders die or suffer serious injuries in the line of duty on America's roadways. Sometimes, these fatalities and casualties are the result of secondary incidents, or collisions that occur while the responder is attending to the original incident to which the responder was dispatched. Fire service personnel responding to a car fire, paramedics attending to accident victims, law enforcement officers assisting a stranded motorist, tow truck operators loading disabled vehicles, and other emergency responders have all been fatally struck by distracted, impaired, or speeding drivers. Current law only allows a transit authority or law enforcement agency to move personal property from the roadway. C.S.H.B. 2681 seeks to extend to certain fire departments the authority to remove personal property from a roadway or right-of-way if the property blocks the roadway or endangers public safety.

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

C.S.H.B. 2681 amends the Transportation Code to extend to a fire department staffed by permanent, full-time employees the authority currently granted to a transit authority or law enforcement agency to remove from a roadway or right-of-way personal property that blocks the roadway or endangers public safety.

C.S.H.B. 2681 requires the governing body of a political subdivision that has a fire department to develop and implement a policy concerning the fire department consulting with law enforcement agencies regarding removal of personal property from a roadway or right-of-way.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2681 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a requirement absent from the introduced for the governing body of a political subdivision that has a fire department to develop and implement a policy regarding the removal of personal property from a roadway or right-of-way.