

BILL ANALYSIS

C.S.H.B. 3787
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Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texas currently uses a statewide alert system for locating abducted children, missing persons with intellectual disabilities, missing senior citizens and persons with Alzheimer's disease, individuals suspected of killing or causing serious bodily injury to a law enforcement officer, missing military members, and missing adults. This system is essential to providing statewide information quickly to keep Texans safe and informed, but it is outdated and unable to be properly maintained. To distribute critical information, Texas uses a scoreboard display system to inform the public on any AMBER, Silver, inclement weather, or other public alert. This system can only display words creating a one-dimensional system in situations that require urgency. Digital signs play a critical part in getting information to the public and it is necessary that they be modernized to enhance their benefits. Images, as compared to text descriptions, can be quickly comprehended and will better capture motorists' attention. C.S.H.B. 3787 requires the Texas Department of Transportation to provide information necessary for specified alert systems through a system of dynamic message signs that are located across Texas and are capable of displaying digital images useful in locating a missing individual.

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. 3787 amends the Government Code to require the Texas Department of Transportation (TxDOT) to provide information necessary for the following statewide alert systems through a system of dynamic message signs that are located across Texas and capable of displaying digital images useful in locating a missing individual:

- Power Outage Alert system;
- AMBER Alert system;
- Texas Active Shooter Alert system;
- Silver Alert system;
- Blue Alert system;
- Camo Alert system; and
- CLEAR Alert system.

C.S.H.B. 3787 does the following:

- authorizes TxDOT to enter into an agreement with a private entity to install or operate the dynamic message signs and requires such an agreement to generate net revenue to

the state and reduce the amount of tax revenue necessary to fund the installation and operation of the signs;

- authorizes TxDOT to accept gifts and grants of money, equipment, or other resources necessary to install and operate the signs; and
- requires TxDOT to request permission from the U.S. Department of Transportation Federal Highway Administration (FHWA) to implement the bill's provisions and establishes that TxDOT is not required to comply with the bill's dynamic sign requirement if TxDOT receives notice from FHWA that the use of the dynamic message signs would result in the loss of federal highway funding or other punitive actions taken against the state due to noncompliance with federal laws, regulations, or policies.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3787 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.

Both the introduced and the substitute require information necessary for the statewide alert systems to be provided through a system of dynamic message signs, but while the introduced required TxDOT to enter into an agreement with a private entity for that purpose and set out conditions under which TxDOT is not required to enter into such an agreement, the substitute authorizes TxDOT to enter into an agreement with a private entity to install or operate the signs and sets out conditions under which TxDOT is not required to comply with the requirement to provide the applicable information.

The substitute does not include the introduced version's prohibition against the use of tax revenue to fund the installation and operation of the dynamic message signs and includes instead a requirement for any agreement that TxDOT enters into with a private entity under the bill's provisions to reduce the amount of tax revenue necessary to fund the installation and operation of the signs.

The substitute includes a requirement absent from the introduced for TxDOT to request permission from FHWA to implement the bill's provisions.