

## **BILL ANALYSIS**

Senate Research Center

H.B. 4797  
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Transportation  
5/4/2023  
Engrossed

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

On the morning of February 11, 2021, a multi-vehicle crash involving 130 vehicles occurred on an elevated section of the southbound toll lanes of I-35W.

As a result of this crash, six people were killed and another 36 were transported to hospitals with injuries. This catastrophic crash has commonly been referred to as the "Fort Worth pileup" or the "I-35W pileup." In the fallout of this tragic day, the National Transportation Safety Board (NTSB) conducted a highway investigative report to determine the probable cause and provide safety recommendations. Through this report, NTSB determined that the toll facility "failed to effectively monitor and address icy roadway conditions during a 2021 winter storm, contributing to a multi-vehicle crash." The report said that the training of the employees "was insufficient to prepare them to monitor roadway conditions effectively during winter events." To address these issues, NTSB recommended that Texas provide a comprehensive winter weather training program for private and state-regulated toll facility employees.

H.B. 4797 amends the Transportation Code to require a toll project entity that treats a roadway maintained during icy or snowy weather to require each employee or contractor who performs the treatment to complete a training course on treating roadways in the same manner as a Texas Department of Transportation (TxDOT) employee who treats roadways during such weather. The bill requires TxDOT to make training courses that it provides to its employees available to those toll project entity employees and contractors.

H.B. 4797 authorizes TxDOT to require that such an employee or contractor complete a training course provided by another entity that includes substantially the same information as a course provided by TxDOT.

H.B. 4797 amends current law relating to training on the treatment of toll project roadways during inclement weather.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Department of Transportation in SECTION 1 (Section 372.059, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 372, Transportation Code, by adding Section 372.059, as follows:

Sec. 372.059. TREATMENT OF TOLL ROADWAY DURING INCLEMENT WEATHER. (a) Requires a toll project entity that treats a roadway maintained by the entity during icy or snowy weather, except as provided by Subsection (e), to require each employee or contractor who develops and supervises a plan for roadway treatment to complete a training course on treating roadways during icy or snowy weather in the same manner as a Texas Department of Transportation (TxDOT) employee who treats roadways during icy or snowy weather.

(b) Provides that TxDOT, in coordination with public toll project entities:

(1) is required to make training courses that TxDOT provides to TxDOT employees who develop and supervise plans for roadway treatment available to a person required to receive training under Subsection (a); and

(2) is authorized to adopt rules as necessary to implement this section.

(c) Requires TxDOT, in coordination with toll project entities, to identify the types of employees and contractors who are subject to the training requirements under Subsection (a).

(d) Requires that a training course described by Subsection (b) include instruction regarding:

(1) prioritizing treatment of elevated structures and other roadway elements that pose the highest risk to public health and safety during icy or snowy weather;

(2) timing of treatment of roadways during icy or snowy weather; and

(3) treatment of general purpose lanes adjacent to a toll project.

(e) Authorizes TxDOT to authorize a toll project entity to require that an employee or contractor required to receive training under Subsection (a) complete a training course provided by another entity that includes substantially the same information as a course provided by TxDOT.

SECTION 2. Effective date: September 1, 2023.