

SUBJECT: Traffic regulations in private subdivisions in certain counties

COMMITTEE: Transportation — favorable, without amendment

VOTE: 7 ayes — Alexander, Edwards, Hamric, Hawley, Hill, Noriega, Uher
0 nays
2 absent — Siebert, Y. Davis

WITNESSES: None

DIGEST: HB 1703 would add sec. 542.007 to the Transportation Code, allowing a county commissioners court to extend traffic rules that apply to a county road to a private subdivision if petitioned by a majority of the property owners residing in the subdivision. The bill would apply to subdivisions with privately maintained roads in the unincorporated areas of counties with a population of 10,000 or less.

The petition by property owners would have to specify the traffic rules that the owners wanted extended to their roads. The commissioners court could extend any or all of the requested rules if the court found the extension in the interest of the county generally. The court would have to consult with the county sheriff to determine the cost of enforcing the rules in the subdivision and could require property owners to pay all or part of the enforcement and extension costs.

Private subdivision roads with extended county traffic rules would be considered county roads for purposes of applying and enforcing the extended rules. The court could place traffic-control devices related to the specific extended rules on property abutting the private roads with the consent of the property owner.

HB 1703 would take effect September 1, 1999.

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SUPPORTERS
SAY:

Some private subdivisions cannot afford to enforce traffic regulations using their own personnel. Landowners in these subdivisions have no way to punish hazardous driving on their roads. HB 1703 would allow landowners to contract with county law enforcement officials to provide affordable traffic enforcement services. It would provide greater security to residents against hazardous driving.

HB 1703 is strictly permissive in intent. The bill's provisions would come into effect only if landowners and county officials entered into a voluntary agreement. The bill would have a limited impact since it would apply only to counties with very small populations.

OPPONENTS
SAY:

No apparent opposition.