

BILL ANALYSIS

Senate Research Center
77R5878 JD-D

S.B. 1020
By: Nelson
State Affairs
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DIGEST AND PURPOSE

Currently, only the Texas Department of Transportation is authorized to remove vehicles from state highways. As proposed, S.B. 1020 authorizes local law enforcement personnel to remove disabled vehicles from the roadway and provides that the law enforcement personnel are not liable for damages resulting from those actions if certain conditions are met.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 472B, Transportation Code, as follows:

SUBCHAPTER B. New heading: **AUTHORITY TO REMOVE PROPERTY FROM ROADWAY OR RIGHT-OF-WAY**

Sec. 472.011. New heading: **DEFINITIONS**. Defines “law enforcement agency” and redefines “personal property.”

Sec. 472.012. New heading: **AUTHORITY TO REMOVE PROPERTY GENERALLY**. Authorizes the Texas Department of Transportation (department) or a law enforcement agency to remove personal property from a roadway or the right-of-way of a roadway, including a roadway of the state highway system, if the department or law enforcement agency determines the property blocks the roadway or endangers public safety. Makes a conforming change.

Sec. 472.013. Makes a conforming change.

Sec. 472.014. New heading: **DEPARTMENT OR LAW ENFORCEMENT AGENCY NOT LIABLE FOR DAMAGES**. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: Upon passage or September 1, 2001.