

BILL ANALYSIS

Senate Research Center
77R3343 MTB-D

S.B. 1575
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State Affairs
4/5/2001
As Filed

DIGEST AND PURPOSE

Currently, when a motor vehicle accident occurs on a state highway, the Texas Department of Transportation (TXDOT) is responsible for contracting with a tow truck or a recovery service company in order to either repair or remove a disabled vehicle from the road. TXDOT is required to select a towing company based on a competitive pricing and is not allowed to consider the company's reputation, equipment, or experience when making a selection. As proposed, S.B. 1575 authorizes TXDOT to contract with one or more private businesses to facilitate the removal of motor vehicles blocking roadways in a more expedient manner by allowing TXDOT to base a contract on best business practices rather than competitive bid requirements.

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, by adding Section 472.015, as follows:

Sec. 472.015. **AUTHORITY TO CONTRACT.** Authorizes the Department of Transportation (department) to contract for the removal of personal property from the right-of-way or roadway of the state highway system with one or more private businesses. Provides that the department, in selecting a business, is not required to follow a competitive purchasing process and requires the department to base its decision on an evaluation of: the reputation and experience of the business; quality of the equipment; past relationship with the department; location in the state; and the impact on the ability of the department to comply with laws and rules relating to historically underutilized businesses, as defined by Section 2161.001 (Definitions), Government Code.

SECTION 2. Effective date: September 1, 2001.