

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 637
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Transportation & Homeland Security
3/31/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, Texas Department of Transportation (TxDOT) rules regarding highway access supersede a county's access management plan. C.S.S.B. 637 provides that the Texas Transportation Commission's orders under Section 203.031 (Control of Access) do not supersede highway access rules adopted by the commissioners court of certain counties, unless the United States Department of Transportation Federal Highway Administration notifies TxDOT that enforcement of the rule, ordinance, resolution, or order would impair the ability of the state or TxDOT to receive federal highway funds.

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 Section 203.032(b), Transportation Code, as follows:

(b) Provides that an order of the Texas Transportation Commission under Section 203.031(a)(2) or (4) (Control of Access) does not supersede a conflicting rule or ordinance of a municipality, including a home-rule municipality, or a conflicting ordinance, resolution, or order of a county with a population of 3.3 million or more or a county adjacent to a county with a population of 3.3 million or more, unless the United States Department of Transportation Federal Highway Administration notifies the Texas Department of Transportation (TxDOT) that enforcement of the rule, ordinance, resolution, or order would impair the ability of the state or TxDOT to receive funds for highway construction or maintenance from the federal government.

SECTION 2. Effective date: upon passage or September 1, 2005.