

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 2469
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Transportation & Homeland Security
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Motorcycle safety awareness for both riders and drivers is an important tool in preventing motorcycle accidents. Certain citizens have worked to initiate programs to educate motorists regarding the importance of watching for motorcyclists, including a program to place crosses on the roadside where fatal motorcycle accidents have occurred. C.S.H.B. 2469 expands these efforts by creating a memorial sign program at the Texas Department of Transportation for victims of motorcycle accidents.

C.S.H.B. 2469 amends current law relating to a memorial sign program for victims of motorcycle accidents.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 2 (Section 201.911, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Requires this Act to be known as the Mike Grove Motorcycle Fatality Awareness Act.

SECTION 2. Amends Subchapter K, Chapter 201, Transportation Code, by adding Section 201.911, as follows:

Sec. 201.911. MEMORIAL SIGN PROGRAM FOR MOTORCYCLISTS. (a) Defines, in this section, "victim."

(b) Requires the Texas Transportation Commission (TTC) by rule to establish and administer a memorial sign program to publicly memorialize the victims of motorcycle accidents.

(c) Requires that a sign designed and posted under this section include:

(1) a red cross;

(2) the phrase "In Memory Of" and the name of one or more victims in accordance with TTC rule; and

(3) the date of the accident that resulted in the victim's death.

(d) Authorizes the sign to include the names of more than one victim if the total length of the name does not exceed one line of text.

(e) Authorizes a person to request that a sign be posted under this section by:

(1) making an application to the Texas Department of Transportation (TxDOT); and

(2) submitting a fee to TxDOT in an amount determined by TxDOT to help cover the costs of posting the memorial sign.

(f) Requires TxDOT, if the application meets TxDOT's requirements and the applicant pays the memorial sign fee, to erect a sign. Authorizes a sign posted under this section to remain posted for one year. Authorizes TxDOT, at the end of the one-year period, to release the sign to the applicant. Provides that TxDOT is not required to release a sign that has been damaged.

(g) Requires TxDOT to remove a sign posted under this section that is damaged. Authorizes TxDOT, except as provided by Subsection (h), to post a new sign if less than one year has passed from the posting of the original sign and a person:

(1) submits a written request to TxDOT to replace the sign; and

(2) submits a replacement fee in the amount provided by Subsection (e)(2).

(h) Requires TxDOT, during the one-year posting period, to replace a sign posted under this section if the sign is damaged because of TxDOT's negligence.

(i) Provides that this section does not authorize TxDOT to remove an existing privately funded memorial that conforms to state law and TxDOT rules. Authorizes a privately funded memorial to remain indefinitely as long as the memorial conforms to state law and TxDOT rules.

(j) Requires TTC to adopt rules to implement this section.

SECTION 3. Effective date: upon passage or September 1, 2011.