

BILL ANALYSIS

Senate Research Center

H.B. 812
By: Wu et al. (Garcia)
Transportation
5/15/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Pedestrians are more likely to be involved in an accident with a motor vehicle when standing near a highway. Current law only prevents pedestrians from standing near highways for unauthorized solicitation purposes and was struck down by the Supreme Court.

H.B. 812 amends the Transportation Code to replace the prohibition against a person standing in a roadway to solicit a ride, contribution, employment, or business from an occupant of a vehicle unless authorized by the applicable local authority to solicit a charitable contribution with a prohibition against a person standing in a roadway in a manner that impedes vehicular traffic or presents a danger to the person or another person unless authorized to do so by such a local authority. H.B. 812 repeals the prohibition against a person standing on or near a highway to solicit the watching or guarding of a vehicle parked or to be parked on the highway and provisions relating to the requirement for a local authority to grant authorization for a person to stand in a roadway to solicit a charitable contribution under certain conditions.

H.B. 812 amends current law relating to standing in a roadway and amends provisions subject to a criminal penalty.

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 the heading to Section 552.007, Transportation Code, to read as follows:

Sec. 552.007. PEDESTRIANS IN ROADWAY.

SECTION 2. Amends Section 552.007(a), Transportation Code, as follows:

(a) Prohibits a person from standing in a roadway in a manner that impedes vehicular traffic or presents a danger to the person or another person unless authorized to do so by the local authority having jurisdiction over the roadway. Delete existing text prohibiting a person from standing in a roadway to solicit a ride, contribution, employment, or business from an occupant of a vehicle, except that the person is authorized to stand in a road to solicit a charitable contribution under certain circumstances.

SECTION 3. Repealers: Sections 552.006(b) (relating to where a pedestrian is required to walk if there is not a sidewalk), 552.007(b) (relating to the prohibition of a person from standing on or near a highway to solicit the watching and guarding of a certain vehicle) and (c) (relating to the definition of "charitable contribution"), and 552.0071 (Local Authorization for Solicitation By Pedestrian), Transportation Code.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2017.