

BILL ANALYSIS

Senate Research Center
86R13321 JTS-F

H.B. 3714
By: Parker et al. (Nelson)
Transportation
5/13/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that some counties are hindered by a lack of authority to establish road illumination in areas of concern, which may prevent drivers from correctly identifying and safely navigating complex roadways. As lighting is an integral part of road safety, there have been calls to grant these counties the authority to utilize every method of safety improvement to protect those traveling on county roads. H.B. 3714 seeks to address this issue by providing for the establishment of street lights along county roads in the unincorporated area of certain counties.

H.B. 3714 amends current law relating to the establishment of street lights along county roads in the unincorporated area of certain counties.

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 280.003, Transportation Code, to read as follows:

Sec. 280.003. STREET LIGHTS ON COUNTY ROADS IN CERTAIN COUNTIES.

SECTION 2. Amends Section 280.003, Transportation Code, by amending Subsections (a), (b), and (c) and adding Subsection (b-1), as follows:

(a) Provides that this section applies only to certain unincorporated areas of a county including a county with a population of more than 650,000 that is adjacent to two counties, each of which has a population of more than 1.8 million. Makes nonsubstantive changes.

(b) Authorizes the commissioners court of a county to by order provide for the establishment of street lights along a county road, rather than street lights along a county road located in a subdivision. Authorizes to the order to provide for:

(1) makes no changes to these subdivision;

(2) the imposition of a fee on landowners who benefit from the street lights, rather than the imposition of a fee on landowners in the subdivision who benefit from the street lights; and

(3) and (4) makes no changes to these subdivisions.

(b-1) Provides that street lights installed by a county:

(1) are required to be installed in a subdivision if the lights are installed by a county described by Subsection (a)(1) (relating to an order to provide for the installation, operation, and maintenance of the street lights by certain entities) ; and

(2) are prohibited from being located on private property if the lights are installed by a county described by Subsection (a)(2).

(c) Provides that this does not supersede applicable provisions for street light service contained in the tariff of an electric utility that provides service to the area in which the lights are installed, rather than an electric utility that provides service to the subdivision.

SECTION 3. Effective date: September 1, 2019.