

## **BILL ANALYSIS**

Senate Research Center  
77R12140 JD-F

C.S.S.B. 1020  
By: Nelson  
State Affairs  
4/10/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, only the Texas Department of Transportation is authorized to remove vehicles from state highways. C.S.S.B. 1020 authorizes certain local law enforcement personnel to remove certain property from a roadway or right-of-way and provides that those law enforcement personnel are not liable for certain damages resulting from those actions under certain conditions.

### **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 545G, Transportation Code, by adding Section 545.3051, as follows:

Sec. 545.3051. AUTHORITY TO REMOVE PERSONAL PROPERTY FROM ROADWAY OR RIGHT-OF-WAY. Defines "law enforcement agency" and "personal property." Authorizes a law enforcement agency to remove personal property from a roadway or right-of-way if the agency determines that the property blocks the roadway or endangers public safety. Authorizes personal property to be removed under this section without the consent of the owner or carrier of the property. Requires the owner and any carrier of personal property removed under this section to reimburse the law enforcement agency for any cost of removal and disposition of the property. Provides that notwithstanding any other provision of law, a law enforcement agency is not liable for certain damages under certain conditions.

SECTION 2. Effective date: upon passage or September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

Differs from the original by amending the relating clause.

Deletes previously proposed SECTION 1 regarding the authority of certain law enforcement agencies to remove certain property from certain roadways and adds a new SECTION 1.

SECTION 2. No change.