

## **BILL ANALYSIS**

Senate Research Center  
81R34554 JTS-D

C.S.H.B. 3082  
By: Thibaut (Patrick, Dan)  
Transportation & Homeland Security  
5/18/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Issues have arisen in some neighborhoods of Houston where proposed street obstruction projects have not been presented for examination to the affected communities. These residents have not been given the opportunity to voice their opinions in a public hearing and these proposals are not being voted on by the city council.

C.S.H.B. 3082 amends current law relating to the obstruction of streets by certain municipalities.

### **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 311.001, Transportation Code, by adding Subsection (c), to provide that before a municipality with a population of 1.9 million or more, notwithstanding Subsection (a) (relating to the exclusive control of a home-rule municipality) or (b) (relating to certain actions a home-rule municipality may take) or Section 311.007 (Closing of Street or Alley by Home-Rule Municipality), is authorized to install traffic calming measures within the municipality, the governing body is required to:

- (1) publish standards and criteria, which is required to include sufficient notice to allow the governing body to receive and consider public comments from residents within one-half mile of the proposed traffic calming measure;
- (2) on request of affected residents, schedule and hold a public meeting before implementation of the measure; and
- (3) if the measure involves the closure of a street to motor vehicular traffic, before the closure, hold a public hearing on the issue of the closure, and approve the closure by a majority vote.

SECTION 2. Effective date: upon passage or September 1, 2009.