

BILL ANALYSIS

Senate Research Center
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S.B. 921
By: Deuell
Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 921 addresses a regulatory gap. Enforcement of traffic laws on public roads that are owned by conservation and reclamation districts can be problematic because such roads are outside the jurisdiction of any municipality or county and districts often lack enforcement capabilities of their own. The proposed bill will address this gap by allowing a county to enforce traffic regulations on district-owned roads..

As proposed, S.B. 921 amends current law relating to regulation of traffic in a conservation and reclamation district by a commissioners court.

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 Subchapter C, Chapter 791, Government Code, by adding Section 791.035, as follows:

Sec. 791.035. REGULATION OF TRAFFIC IN CERTAIN DISTRICTS. Authorizes the commissioners court of a county to enter into an interlocal contract with the board of a conservation and reclamation district organized or operating under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, to apply the county's traffic regulations to a public road in the county that is owned, operated, and maintained by the district if the commissioners court finds that it is in the county's interest to regulate traffic on the public road.

SECTION 2. Amends Section 251.151, Transportation Code, as follows:

Sec. 251.151. New heading: AUTHORITY OF COMMISSIONERS COURT TO REGULATE CERTAIN ROADS. (a) Creates this subsection from existing text. Makes no further changes to this subsection.

(b) Authorizes the commissioners court of a county by order to apply the county's traffic regulations to a public road in the county that is owned, operated, and maintained by a conservation and reclamation district organized or operating under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, and located wholly or partly in the county if the commissioners court and the board of the district have entered into an interlocal contract under Section 791.035, Government Code.

(c) Provides that a public road that is subject to an order under Subsection (b) is considered to be a county road for purposes of applying a traffic regulation to the public road.

SECTION 3. Amends Section 251.155(a), Transportation Code, to authorize the commissioners court of a county to adopt regulations establishing a system of traffic control devices in restricted

traffic zones on property described by Section 251.151(a) (relating to the authority of the commissioners court), rather than Section 251.151, and property abutting a public road that is the subject of an order under Section 251.151(b) if the property is owned by the district that is subject to the order or is a public right-of-way.

SECTION 4. Effective date: upon passage or September 1, 2011.