

TRANSPORTATION CODE

CHAPTER 285. COUNTY REGULATION OF ROADSIDE VENDOR AND SOLICITOR IN CERTAIN COUNTIES

Sec. 285.001. REGULATION OF ROADSIDE VENDOR AND SOLICITOR. To promote the public safety, the commissioners court of a county with a population of more than 2.2 million by order may regulate the following if they occur on a public highway or road in the unincorporated area of the county or in the right-of-way of the highway or road:

- (1) the sale of items by a vendor of food or merchandise;
- (2) the erection, maintenance, or placement of a structure by a vendor of food or merchandise; and
- (3) the solicitation of money.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 669, Sec. 132, eff. Sept. 1, 2001.

Sec. 285.002. PERMIT; REMOVAL OF STRUCTURE. The commissioners court may:

- (1) require a vendor or a person soliciting money to obtain a permit to sell the food or merchandise or to solicit money;
- (2) charge a reasonable fee for the permit; and
- (3) provide for the removal of a structure that is in violation of the regulations.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 285.003. CONFLICT WITH STATUTE OR STATE AGENCY RULE. If a regulation adopted under this chapter conflicts with a statute or state agency rule, the statute or rule prevails to the extent of the conflict.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 285.004. VIOLATION OF REGULATION; OFFENSE. (a) A person commits an offense if the person knowingly:

- (1) violates a regulation adopted under this chapter;
- or
- (2) obstructs or threatens to obstruct the removal of a structure that is in violation of a regulation adopted under this chapter.

(b) Each day a violation continues is a separate offense.

(c) An offense under this section is a Class C misdemeanor.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.