

CHAPTER 79

S.B. No. 670

AN ACT

relating to the authority of a commissioners court to delegate authority to make traffic safety decisions in certain counties.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subsection (a), Section 2.301, County Road and Bridge Act (Article 6702-1, Vernon's Texas Civil Statutes), is amended by amending Subdivision (2) and adding Subdivision (3) to read as follows:

(2) *Except as provided by Subdivision (3) of this subsection, the [The] commissioners court shall hold a public hearing before issuing any traffic regulation under this Act. The court shall give advance notice of the proposed regulation by publishing notice of the hearing in a newspaper of general circulation in the county. The notice must be published not later than the seventh day or earlier than the 30th day before the day of the hearing.*

(3) A commissioners court in a county with a population of more than 500,000, according to the most recent federal census, may delegate any function of the commissioners court under this section to the county engineer or another employee capable of performing the function. The action of the person in carrying out the delegated function has the same effect as if it were the action of the commissioners court. Before issuing a traffic regulation under this Act the commissioners court of such a county, as an alternative to publishing any notice required by law other than this Act, may conspicuously post notice of the proposed regulation by sign at any location affected by the proposed regulation. The commissioners court is not required to hold a public hearing before the regulation is issued unless a resident of the county, in writing, requests the hearing before the eighth day after the later of the date of the publication of the notice, if any, or the date of the posting of the sign. If a hearing is requested, the commissioners court may not delegate the duty to hold the hearing.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on March 30, 1993: Yeas 31, Nays 0; passed the House on April 23, 1993: Yeas 131, Nays 0, two present not voting.

Approved May 4, 1993.

Effective May 4, 1993.