

AN ACT

relating to restricting the use of designated lanes of certain highways.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 545, Transportation Code, is amended by adding Section 545.0652 to read as follows:

Sec. 545.0652. COUNTY RESTRICTION ON USE OF HIGHWAY.

(a) In this section:

(1) "Department" means the Texas Department of Transportation.

(2) "Highway" means a public roadway that:

(A) is in the designated state highway system;

(B) is designated a controlled access facility;

and

(C) has a minimum of three travel lanes, excluding access or frontage roads, in each direction of traffic.

(b) A county commissioners court by order may restrict, by class of vehicle, through traffic to two or more designated lanes of a highway located in the county and outside the jurisdiction of a municipality.

(c) An order under Subsection (b) must allow a restricted vehicle to use any lane of the highway to pass another vehicle and to enter and exit the highway.

(d) Before issuing an order under this section, the

1 commissioners court shall submit to the department a description of
2 the proposed restriction. The commissioners court may not enforce
3 the restrictions unless:

4 (1) the department's executive director or the
5 executive director's designee has approved the restrictions; and

6 (2) the appropriate traffic-control devices are in
7 place.

8 (e) Department approval under Subsection (d) must to the
9 greatest extent practicable ensure a systems approach to preclude
10 the designation of inconsistent lane restrictions among adjacent
11 counties or municipalities.

12 (f) The department's executive director or the executive
13 director's designee may suspend or rescind approval under this
14 section for one or more of the following reasons:

15 (1) a change in pavement conditions;

16 (2) a change in traffic conditions;

17 (3) a geometric change in roadway configuration;

18 (4) construction or maintenance activity; or

19 (5) emergency or incident management.

20 (g) The department shall erect and maintain official
21 traffic-control devices necessary to implement and enforce an order
22 issued and approved under this section.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 514 passed the Senate on
March 24, 2003, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 514 passed the House on
May 24, 2003, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor