

By: Wentworth

S.B. No. 1037

A BILL TO BE ENTITLED

AN ACT

relating to 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. STATE RESTRICTION ON USE OF HIGHWAY. (a) In this section, "highway" means a public roadway that:

(1) is in the designated state highway system;

(2) is designated a controlled access facility; and

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

(b) The Texas Transportation Commission by resolution or order recorded in its minutes may restrict, by class of vehicle, through traffic to two designated lanes of a highway.

(c) A resolution or order under Subsection (b) must:

(1) be in effect only during peak traffic hours of a workday;

(2) allow a restricted vehicle to use any lane of the highway to pass another vehicle and to enter and exit the highway;

(3) be based on a traffic study performed by the Texas Department of Transportation to evaluate the effect of the proposed restriction; and

(4) to the greatest extent practicable, ensure a systems approach to preclude the designation of inconsistent lane

1 restrictions.

2 (d) The commission may suspend or rescind a resolution or  
3 order under Subsection (b) for one or more of the following reasons:

4 (1) a change in pavement conditions;

5 (2) a change in traffic conditions;

6 (3) a geometric change in roadway configuration;

7 (4) construction or maintenance activity; or

8 (5) emergency or incident management.

9 (e) The Texas Department of Transportation shall erect and  
10 maintain official traffic control devices necessary to implement  
11 and enforce a resolution or order adopted and approved under this  
12 section.

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