

By: Martinez

H.B. No. 803

A BILL TO BE ENTITLED

AN ACT

relating to improvement work areas on certain controlled access highways.

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

SECTION 1. Subchapter B, Chapter 223, Transportation Code, is amended by adding Section 223.049 to read as follows:

Sec. 223.049. TEMPORARY EXIT SIGNS. If an improvement to a designated controlled access highway requires, while the improvement is being made, that an exit be closed or moved, a new exit be opened, or a sign that provides information about an exit be removed or covered, the contract for the improvement must require the erection of temporary signs providing notice of the location of exits in the improvement area and appropriate information concerning streets, highways, and districts to which the exits provide access.

SECTION 2. Subchapter B, Chapter 545, Transportation Code, is amended by adding Section 545.0653 to read as follows:

Sec. 545.0653. RESTRICTION ON COMMERCIAL MOTOR VEHICLE IN CONSTRUCTION OR MAINTENANCE WORK ZONE. (a) This section applies only on a highway that:

- (1) is in the designated state highway system;
- (2) is designated a controlled access facility; and
- (3) has a minimum of two travel lanes, excluding access or frontage roads, in each direction of traffic.

1 (b) An operator of a commercial motor vehicle, as defined by
2 Section 545.307, in a construction or maintenance work zone, as
3 defined by Section 472.022, may drive only in the lane farthest to
4 the right except:

5 (1) to pass another vehicle;

6 (2) to enter or exit the highway; or

7 (3) as provided by Subsection (c).

8 (c) The executive director of the Texas Department of
9 Transportation or the executive director's designee may suspend or
10 rescind the restriction imposed by Subsection (b) in all or part of
11 the construction or maintenance work zone if the executive director
12 or designee determines that the restriction creates an unsafe
13 condition.

14 (d) The Texas Department of Transportation shall erect and
15 maintain official traffic control devices necessary to implement
16 and enforce this section. A restriction imposed by Subsection (b)
17 may not be enforced until the appropriate traffic control devices
18 are in place.

19 SECTION 3. Section 223.049, Transportation Code, as added
20 by this Act, applies only to a contract entered into or modified on
21 or after the effective date of this Act.

22 SECTION 4. This Act takes effect September 1, 2005.