

By: Wong

H.B. No. 2489

Substitute the following for H.B. No. 2489:

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C.S.H.B. No. 2489

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the creation of green ribbon master plans for certain  
3 districts of the Texas Department of Transportation.

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

5 SECTION 1. Subchapter H, Chapter 201, Transportation Code,  
6 is amended by adding Section 201.617 to read as follows:

7 Sec. 201.617. GREEN RIBBON MASTER PLAN. (a) In this  
8 section:

9 (1) "Green ribbon master plan" means a highway design  
10 and construction plan established by a department district that  
11 includes emphasis on the planting of vegetation, the use of public  
12 art, and a respect for local neighborhoods in the design and  
13 construction of highways in an urban area in the district.

14 (2) "Nonattainment area" has the meaning assigned by  
15 Section 548.001.

16 (b) The commission by rule shall require each department  
17 district that includes an urban area to establish a green ribbon  
18 master plan for the urban area.

19 (c) For each contract for an urban highway transportation  
20 project that is located in a nonattainment area or a  
21 near-nonattainment area, the department shall allocate to the  
22 department district an amount equal to not less than one percent and  
23 not more than 1.25 percent of the amount to be spent under the  
24 contract for projects under the department district's green ribbon

1 master plan. The allocation shall be used to improve air quality,  
2 prevent erosion, and provide shading. At least half of the  
3 allocation shall be used for the planting of trees and other  
4 vegetation to mitigate the effects of air pollution.

5 (d) A department district may spend money allocated for  
6 projects under the district's green ribbon master plan that is not  
7 used for that purpose on landscaping improvements along other urban  
8 highways located in the district.

9 (e) If two or more department districts share an allocation  
10 of money for projects under a green ribbon master plan, the district  
11 shall divide the allocation according to the proportion of the  
12 total amount of the contract that will be spent in each district.

13 (f) A department district may not use money allocated under  
14 this section to place art or plant vegetation that obscures or  
15 impairs the visibility of outdoor signs, displays, or devices along  
16 the National Highway System.

17 SECTION 2. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2005.