

## **BILL ANALYSIS**

C.S.S.B. 132  
By: Wentworth  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

As cities in Texas grow more populated, traffic congestion becomes a greater problem. Using mass transit vehicles to bypass traffic congestion on roads and highways on improved shoulders is a potential solution to the problem of growing traffic congestion. Allowing buses operating in the public transportation system to use the improved shoulders on state highways as a way to bypass slow moving traffic may lead to greater use of public transportation, fewer cars on the road, and less pollution in the air. Current law, however, provides only for emergency vehicles, bicycles, and stranded vehicles to use the shoulders on state highways.

C.S.S.B. 132 allows the creation of a pilot motor-bus-only lane program which would allow public transportation buses in certain counties to drive on the improved shoulders of state highways during peak traffic times.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Section 1 of this bill adds Section 455.006 to Chapter 455 of the Transportation Code, which states that the Department of Transportation in conjunction with the Department of Public Safety and in conjunction with the appropriate mass transit authorities and the municipalities served by those authorities will create and implement a motor-bus-only lane pilot program in Bexar, Denton, Travis, and Williamson Counties. Motor buses would be allowed to drive on the developed shoulders of state highways where sufficient width and structural integrity exists to allow them to do so.

Motor buses would be allowed to use these shoulders for travel when the speed of the main traveled part of the adjacent highways is 35 miles per hour or less, and it would limit the speed of the buses traveling on the developed shoulder to 35 miles per hour.

The pilot program will allow the authorities to gain local experience with the conversion of shoulders to motor-bus-only lanes, and it must take into consideration safety, travel time and reliability, driver and passenger perceptions, level of service and maintenance, and capital improvements.

The department must implement the program as soon as practicable and no later than December 31, 2007. And the department must obtain the permission of any toll authority before establishing the program on a highway or toll facility that the authority maintains.

Section 2 makes conforming changes to Section 542.002 of the Transportation Code.

Section 3 of the bill changes the language of Section 545.058(c) of the Transportation Code by adding motor buses under the entity described in Section 455.006 to the list of vehicles allowed to drive on the improved shoulder.

Section 4 amends Section 545.352 of the Transportation Code by adding Subsection (c-1) which establishes the maximum speed of a motor bus traveling on the improved shoulder at 35 miles per hour.

C.S.S.B. 132 80(R)

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute of this bill changes the scope of the motor-bus-only project to a pilot program. It also reduces the speed limit from 55 to 35 MPH in the motor-bus-only lanes and it gives regional tollway authorities as defined in Chapter 366 power over whether or not it will allow motor-bus-only lanes in its district.