

By: Wentworth, Van de Putte

S.B. No. 132

A BILL TO BE ENTITLED

AN ACT

relating to the establishment and operation of a motor bus-only lane program.

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

SECTION 1. Chapter 455, Transportation Code, is amended by adding Section 455.006 to read as follows:

Sec. 455.006. MOTOR BUS-ONLY LANE PROGRAM. (a) The department, in consultation with the Department of Public Safety and in conjunction with the metropolitan rapid transit authorities, regional transportation authorities, municipal transit authorities, county mass transit authorities, coordinated county transportation authorities, and municipal mass transportation departments in this state and the appropriate counties and municipalities, shall establish and operate a motor bus-only lane program for highways that are part of the state highway system and have shoulders of sufficient width and structural integrity.

(b) The program shall:

(1) provide for the use by motor buses of highway shoulders as a low-speed bypass of congested highway lanes when the speed of vehicles being operated on the main traveled part of the adjacent highways is 35 miles per hour or less;

(2) limit the maximum speed of a motor bus being operated on a motor bus-only lane to 50 miles per hour;

(3) gain local operational experience with the

conversion of existing highway shoulders to motor bus-only lanes during peak traffic periods; and

(4) take into consideration the following:

(A) safety;

(B) travel time and reliability;

(C) driver and passenger perceptions;

(D) level of service and maintenance; and

(E) capital improvements.

(c) The department shall initiate the motor bus-only lane program as soon as practicable but not later than December 31, 2007.

(d) Notwithstanding Subsection (a), the department may not establish or operate a motor bus-only lane on a highway that is part of a facility maintained by the governing body of a toll road authority that operates a facility connecting:

(1) a county having a population of 3.3 million or more; and

(2) an adjacent county having a population of 275,000 or more but less than 300,000.

(e) Notwithstanding Subsection (a), the department may not establish or operate a motor bus-only lane on a highway or toll facility maintained by a regional tollway authority established under Chapter 366 without the authority's consent.

SECTION 2. Section 542.002, Transportation Code, is amended to read as follows:

Sec. 542.002. GOVERNMENT VEHICLES. A provision of this subtitle applicable to an operator of a vehicle applies to the operator of a vehicle owned or operated by the United States, this

1 state, or a political subdivision of this state, except as
2 specifically provided otherwise by this subtitle [~~for an authorized~~
3 ~~emergency vehicle~~].

4 SECTION 3. Subsection (c), Section 545.058, Transportation
5 Code, is amended to read as follows:

6 (c) A limitation in this section on driving on an improved
7 shoulder does not apply to:

8 (1) an authorized emergency vehicle responding to a
9 call;

10 (2) a police patrol; [~~or~~]

11 (3) a bicycle; or

12 (4) a motor bus of a transportation entity described
13 by Section 455.006 operating on a shoulder designated by the Texas
14 Department of Transportation under that section.

15 SECTION 4. Section 545.352, Transportation Code, is amended
16 by adding Subsection (c-1) to read as follows:

17 (c-1) The maximum speed limit for a motor bus of a
18 transportation entity described by Section 455.006 that is
19 operating on the shoulder of a highway designated as a motor
20 bus-only lane by the Texas Department of Transportation under that
21 section is 50 miles per hour.

22 SECTION 5. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2007.