

By: Wentworth S.B. No. 132
(In the Senate - Filed December 1, 2006; January 29, 2007,
read first time and referred to Committee on Transportation and
Homeland Security; February 13, 2007, reported adversely, with
favorable Committee Substitute by the following vote: Yeas 8,
Nays 0; February 13, 2007, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.B. No. 132 By: Wentworth

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 55 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.

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

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

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

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

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

(3) a bicycle; or

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

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

(c-1) The maximum speed limit for a motor bus of a transportation entity described by Section 455.006 that is operating on the shoulder of a highway designated as a motor bus-only lane by the Texas Department of Transportation under that section is 55 miles per hour.

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

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