

By: Harper-Brown

H.B. No. 1762

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to regulation of high occupancy vehicle lanes operated,  
3 managed, or maintained by a regional transportation authority;  
4 providing penalties.

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

6 SECTION 1. Subchapter B, Chapter 452, Transportation Code,  
7 is amended by adding Section 452.0613 to read as follows:

8 Sec. 452.0613. ENFORCEMENT OF HIGH OCCUPANCY VEHICLE LANE  
9 USAGE; PENALTIES. (a) An executive committee by resolution may  
10 regulate or prohibit improper entrance into, exit from, and vehicle  
11 occupancy in high occupancy vehicle lanes operated, managed, or  
12 maintained by the authority.

13 (b) An executive committee by resolution may establish  
14 reasonable and appropriate methods to enforce regulations or  
15 prohibitions established under Subsection (a).

16 (c) An executive committee by resolution may provide that  
17 violations regarding improper entrance into, exit from, or vehicle  
18 occupancy in high occupancy vehicle lanes operated, managed, or  
19 maintained by the authority incur a penalty, not to exceed \$100.

20 (d) A person commits an offense if the person fails to pay  
21 any designated penalty on or before the 30th day after the date the  
22 authority notifies the person that the person is required to pay a  
23 penalty for:

24 (1) exiting or entering a high occupancy vehicle lane

1 operated, managed, or maintained by an authority at a location not  
2 designated for exit or entrance; or

3 (2) operating a vehicle in or entering a high  
4 occupancy vehicle lane operated, managed, or maintained by an  
5 authority with fewer than the required number of occupants.

6 (e) The notice required by Subsection (d) may be included in  
7 a citation issued to the person by a peace officer under Article  
8 14.06, Code of Criminal Procedure, in connection with an offense  
9 relating to improper use of a high occupancy vehicle lane.

10 (f) An offense under Subsection (d) is a Class C  
11 misdemeanor.

12 SECTION 2. This Act takes effect September 1, 2011.