

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 26, 2011**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2327** by McClendon (Relating to the establishment and operation of a motor-bus-only lane pilot program in certain counties.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Transportation Code to require the Texas Department of Transportation (TxDOT) to establish and operate a motor-bus-only pilot lane program for highways in Bexar, El Paso, Travis, and Tarrant Counties, in consultation with the Department of Public Safety, the appropriate local transit and transportation authorities, and the municipalities served by those authorities. The bill would require TxDOT to include in the program bus driver safety training, public awareness and education, bus operating rules, and roadside signs and pavement markings. The bill would require TxDOT to fund the implementation of the program and require participating mass transit entities to reimburse TxDOT for funds spent on implementation of the program features. The bill would require TxDOT to submit a report regarding the pilot program no later than December 31, 2013.

Based on the analysis of TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within the agency's existing resources. It is also assumed that TxDOT expenditures for implementation of certain features of the pilot program would be reimbursed by the participating metropolitan rapid transit authorities as required under the provisions of the bill.

**Local Government Impact**

There would be costs to the applicable counties for the requirement to establish and operate a motor-bus-only pilot lane program for highways, but the amounts would vary.

Based on the analysis of one of the applicable transit authorities, the Capital Metropolitan Transportation Authority (Cap Metro) in Travis County reported that the amounts are not anticipated to be significant. Cap Metro cited a study conducted by the University of Texas Center for Transportation Research (Peak Period Shoulder Use of Urban Expressways, May 2010) that identified possible sections of highway shoulders in Travis County that did not appear to need structural alterations where buses could safely operate, and where only signage was needed. Their estimate for the cost of the necessary signage was less than \$20,000 for the feasible sections identified.

**Source Agencies:** 601 Department of Transportation, 405 Department of Public Safety

**LBB Staff:** JOB, KJG, MW, TG, TP