

Amend CSHB 1 by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter H, Chapter 201, Transportation Code, is amended by adding Section 201.6155 to read as follows:

Sec. 201.6155. CONVERSION OF PAVED ROAD OR HIGHWAY TO NON-PAVED SURFACE. (a) The department shall adopt and publish criteria to determine whether a segment of a road or highway in the state highway system may be converted from a paved surface to a non-paved surface, including a graveled surface. The criteria must require the department to calculate for a specific segment of road or highway proposed to be converted the annual cost to maintain the segment with:

(1) a paved surface; and

(2) a non-paved surface.

(b) The department shall adopt criteria to determine whether a segment of a road or highway in the state highway system that was converted from a paved surface to a non-paved surface under this section must be restored to a paved surface.

(c) The department shall conduct an assessment of the conditions of each road or highway in the state highway system using the criteria described by Subsection (a). If the department determines that the segment of a road or highway meets the criteria described by Subsection (a), the department shall send written notice that the road or highway is a candidate for conversion to a non-paved surface to:

(1) the legislator of each legislative district in which the road or highway is located; and

(2) the county judge of each county in which the road or highway is located.

(d) Not later than the 180th day after the date a county judge receives notice under Subsection (c), the county judge may submit a mitigation plan that does not require the conversion of the road or highway to a non-paved surface. A mitigation plan may include donations or contributions of funds from any source.

(e) The department may not convert a segment of a road or highway in the state highway system from a paved surface to a

non-paved surface, including a graveled surface, unless the department:

(1) determines that a mitigation plan submitted under Subsection (d) is not feasible;

(2) adopts a written plan to restore the paved surface to the road or highway in accordance with the criteria described by Subsection (b); and

(3) provides notice that the department intends to convert the road or highway to a non-paved surface to:

(A) the legislator of each legislative district in which the road or highway is located; and

(B) the county judge of each county in which the road or highway is located.