

1-1 By: Campbell S.B. No. 1029
 1-2 (In the Senate - Filed March 4, 2013; March 12, 2013, read
 1-3 first time and referred to Committee on Transportation;
 1-4 May 13, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; May 13, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |
| 1-17 | | | X | |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1029 By: Campbell

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the conversion of a nontolled state highway or segment
 1-22 of the state highway system to a toll project.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 228.201, Transportation Code, is amended
 1-25 to read as follows:

1-26 Sec. 228.201. LIMITATION ON TOLL FACILITY DESIGNATION.

1-27 (a) ~~The [Except as provided by Section 228.2015, the]~~ department
 1-28 may not operate a nontolled state highway or a segment of a
 1-29 nontolled state highway as a toll project, and may not transfer a
 1-30 highway or segment to another entity for operation as a toll
 1-31 project, unless:

1-32 (1) the commission by order designated the highway or
 1-33 segment as a toll project before the contract to construct the
 1-34 highway or segment was awarded;

1-35 (2) ~~[the highway or segment was open to traffic as a
 1-36 turnpike project on or before September 1, 2005;~~

1-37 ~~[(3)]~~ the project was designated as a toll project in a
 1-38 plan or program of a metropolitan planning organization on or
 1-39 before September 1, 2005;

1-40 (3) ~~[(4)]~~ the highway or segment is reconstructed so
 1-41 that the number of nontolled lanes on the highway or segment is
 1-42 greater than or equal to the number in existence before the
 1-43 reconstruction;

1-44 (4) ~~[(5)]~~ a facility is constructed adjacent to the
 1-45 highway or segment so that the number of nontolled lanes on the
 1-46 converted highway or segment and the adjacent facility together is
 1-47 greater than or equal to the number in existence on the converted
 1-48 highway or segment before the conversion; or

1-49 (5) ~~[(6)]~~ subject to Subsection (b), the highway or
 1-50 segment was open to traffic as a high-occupancy vehicle lane on May
 1-51 1, 2005~~[, or~~

1-52 ~~[(7) the commission converts the highway or segment to
 1-53 a toll facility by:~~

1-54 ~~[(A) making the determination required by
 1-55 Section 228.202,~~

1-56 ~~[(B) conducting the hearing required by Section
 1-57 228.203; and~~

1-58 ~~[(C) obtaining county and voter approval as
 1-59 required by Sections 228.207 and 228.208].~~

1-60 (b) The department may operate or transfer a high-occupancy

2-1 vehicle lane under Subsection (a)(5) [~~(a)(6)~~] as a tolled lane only
2-2 if the department or other entity operating the lane allows
2-3 vehicles occupied by a specified number of passengers to use the
2-4 lane without paying a toll.

2-5 SECTION 2. Sections 228.202, 228.203, 228.207, and 228.208,
2-6 Transportation Code, are repealed.

2-7 SECTION 3. This Act takes effect immediately if it receives
2-8 a vote of two-thirds of all the members elected to each house, as
2-9 provided by Section 39, Article III, Texas Constitution. If this
2-10 Act does not receive the vote necessary for immediate effect, this
2-11 Act takes effect September 1, 2013.

2-12

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