

By: Israel, Workman, McClendon

H.B. No. 1324

A BILL TO BE ENTITLED

AN ACT

relating to the establishment and operation of a motor-bus-only lane pilot program in certain counties.

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 PILOT PROGRAM. (a) The department, in consultation with the Department of Public Safety and in conjunction with and with the elective participation of the appropriate metropolitan rapid transit authorities, county transportation authorities, municipal transit departments, and regional transportation authorities and the municipalities served by those mass transit entities, shall establish and operate a motor-bus-only lane pilot program for highways that are part of the state highway system and have shoulders of sufficient width and structural integrity.

(b) A highway designated as part of the program must be located in:

(1) Bexar, El Paso, Tarrant, or Travis County; or

(2) a county adjacent to a county listed in Subdivision (1) if the highway is an extension of a highway designated in a county listed in Subdivision (1).

(c) The program shall:

(1) provide for the use by motor buses of highway

1 shoulders as a low-speed bypass of congested highway lanes when the
2 speed of vehicles being operated on the main traveled part of the
3 adjacent highways is 35 miles per hour or less;

4 (2) limit the maximum speed of a motor bus being
5 operated on a motor-bus-only lane to the lower of:

6 (A) 15 miles per hour greater than the speed of
7 vehicles being operated on the main traveled part of the adjacent
8 highway; or

9 (B) 35 miles per hour;

10 (3) provide for attainment of local operational
11 experience with the conversion of existing highway shoulders to
12 motor-bus-only lanes during peak traffic periods;

13 (4) include consideration of the following:

14 (A) safety;

15 (B) travel time and reliability;

16 (C) driver and passenger perceptions;

17 (D) level of service and maintenance; and

18 (E) capital improvements; and

19 (5) be limited only to public transit motor buses
20 operated by the mass transit entities in the counties specified by
21 Subsection (b).

22 (d) The department shall also include in the program:

23 (1) bus driver safety training;

24 (2) public awareness and education;

25 (3) bus operating rules that require bus drivers to
26 yield to passenger cars and emergency vehicles; and

27 (4) roadside signs and pavement markings indicating

1 that affected lanes are reserved for public transit motor-bus-only
2 use.

3 (e) The department, in coordination with the appropriate
4 mass transit entities under Subsection (a), shall fund the
5 implementation of the program features under Subsection (d). Mass
6 transit entities that participate in the program shall reimburse
7 the department for the funds spent on implementation of the program
8 features. A metropolitan rapid transit authority that includes an
9 advanced transportation district may use funds from the district to
10 pay for expenses associated with the pilot program.

11 (f) The department shall initiate the motor-bus-only lane
12 pilot program as soon as practicable but not later than December 31,
13 2015. Not later than December 31, 2017, the department shall submit
14 to the governor, the lieutenant governor, the speaker of the house
15 of representatives, and the presiding officer of each legislative
16 standing committee with primary jurisdiction over transportation a
17 written report that contains:

18 (1) a description of the results of the program based
19 on local operational experience described in Subsection (c)(3);

20 (2) any recommendations for changes to the program;
21 and

22 (3) a plan on how the department will convert the
23 program into a permanent program.

24 (g) The department may cancel the program if the department
25 finds evidence of a trend of increasing vehicle accidents
26 attributable to operation of buses under the program.

27 (h) Notwithstanding Subsection (a), the department may not

1 establish or operate a motor-bus-only lane on a highway or toll
2 facility maintained by a regional tollway authority established
3 under Chapter 366 without the authority's consent.

4 SECTION 2. Section 542.002, Transportation Code, is amended
5 to read as follows:

6 Sec. 542.002. GOVERNMENT VEHICLES. A provision of this
7 subtitle applicable to an operator of a vehicle applies to the
8 operator of a vehicle owned or operated by the United States, this
9 state, or a political subdivision of this state, except as
10 specifically provided otherwise by this subtitle [~~for an authorized~~
11 ~~emergency vehicle~~].

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

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

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

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

19 (3) a bicycle; or

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

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2015.