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FLOOR AMENDMENT NO. _____

17 MAY 15 AM 9:06

BY:

Pickett

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by deleting
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ . Section 228.201, Transportation Code, is
5 amended to read as follows:

6 Sec. 228.201. LIMITATION ON TOLL FACILITY DESIGNATION.

7 ~~[(a)]~~ The department may not operate a nontolled state highway
8 or a segment of a nontolled state highway as a toll project, and
9 may not transfer a highway or segment to another entity for
10 operation as a toll project, unless:

11 (1) the commission by order designated the highway or
12 segment as a toll project before the contract to construct the
13 highway or segment was awarded;

14 (2) the project was designated as a toll project in a
15 plan or program of a metropolitan planning organization on or
16 before September 1, 2005;

17 (3) the highway or segment is reconstructed so that
18 the number of nontolled lanes on the highway or segment is
19 greater than or equal to the number in existence before the
20 reconstruction; or

21 (4) a facility is constructed adjacent to the highway
22 or segment so that the number of nontolled lanes on the
23 converted highway or segment and the adjacent facility together
24 is greater than or equal to the number in existence on the
25 converted highway or segment before the conversion ~~[, or~~

26 ~~[(5) subject to Subsection (b), the highway or~~
27 ~~segment was open to traffic as a high-occupancy vehicle lane on~~
28 ~~May 1, 2005].~~

29 ~~[(b) The department may operate or transfer a high-~~

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

5 SECTION 2. This Act takes effect immediately if it
6 receives a vote of two-thirds of all the members elected to each
7 house, as provided by Section 39, Article III, Texas
8 Constitution. If this Act does not receive the vote necessary
9 for immediate effect, this Act takes effect September 1, 2017.