

By: Hall

S.B. No. 1143

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on converting high occupancy vehicle highway lanes to tolled lanes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

Sec. 228.201. LIMITATION ON TOLL FACILITY DESIGNATION.

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

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

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

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

or

(4) a facility is constructed adjacent to the highway or segment so that the number of nontolled lanes on the converted highway or segment and the adjacent facility together is greater

1 than or equal to the number in existence on the converted highway or  
2 segment before the conversion[~~, or~~

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

6 ~~[(b) The department may operate or transfer a~~  
7 ~~high-occupancy vehicle lane under Subsection (a)(5) as a tolled~~  
8 ~~lane only if the department or other entity operating the lane~~  
9 ~~allows vehicles occupied by a specified number of passengers to use~~  
10 ~~the lane without paying a toll.]~~

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