By:  Morales Shaw H.B. No. 5154

A BILL TO BE ENTITLED

AN ACT

relating to design considerations of transportation projects by the Texas Department of Transportation.

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

SECTION 1.  Section 201.615, Transportation Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a)  The department shall consider, in accordance with the NEPA requirements for studying design alternatives, the following factors when developing transportation projects that involve the construction, reconstruction, rehabilitation, or resurfacing of a highway, other than a maintenance resurfacing project:

(1)  the extent to which the project promotes safety;

(2)  the durability of the project;

(3)  the economy of maintenance of the project;

(4)  the impact of the project on:

(A)  the natural and artificial environment;

(B)  the scenic and aesthetic character of the area in which the project is located;

(C)  preservation efforts; and

(D)  each affected local community and its economy;

(5)  the access for other modes of transportation, including those that promote physically active communities; [~~and~~]

(6)  except as provided by Subsection (c), the aesthetic character of the project, including input from each affected local community;

(7)  except as provided by Subsection (d), an alternative design for the project that has been approved by a vote of the governing body of a municipality or county that represents an affected local community; and

(8)  the negative impacts to an affected local community from previous transportation projects.

(d)  Subsection (a)(7) does not apply to a transportation project if the department finds that an alternative design for a transportation project approved by the governing body of a municipality or county is frivolous, unreasonable, or intended to delay a transportation project.

SECTION 2.  This Act takes effect September 1, 2023.