

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~~

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

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

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

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

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