

BILL ANALYSIS

H.B. 1324
By: Israel
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Bus-on-shoulder programs allow buses to use shoulders on freeways and larger streets to bypass congestion. For many years, several states have allowed buses to operate on highway shoulders during periods of heavy traffic, as traffic volume in bus-only lanes is low and highway shoulders can still accommodate the removal of disabled vehicles, emergency access, and highway maintenance staging. Interested parties call for such a program in Texas to help ease traffic congestion and frustration in high population counties. H.B. 1324 seeks to address this issue by establishing a motor-bus-only lane pilot program for state highways in certain Texas counties.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1324 amends the Transportation Code to require the Texas Department of Transportation (TxDOT), 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, to establish and operate a motor-bus-only lane pilot program for highways that are part of the state highway system, have shoulders of sufficient width and structural integrity, and are located in Bexar, El Paso, Tarrant, or Travis County or a county adjacent to one of those counties if the highway is an extension of a highway designated in that county. The bill establishes program requirements, including requirements relating to the use of highway shoulders by certain public transit motor buses and limiting maximum speed in a motor-bus-only lane, and requires TxDOT, in coordination with the appropriate mass transit entities, to fund the implementation of the required program features, including bus driver safety training, public awareness and education, bus operating rules that require bus drivers to yield to passenger cars and emergency vehicles, and roadside signs and pavement markings indicating that affected lanes are reserved for public transit motor-bus-only use. The bill requires mass transit entities that participate in the program to reimburse TxDOT for the funds spent on implementation of the program features and authorizes a metropolitan rapid transit authority that includes an advanced transportation district to use funds from the district to pay for expenses associated with the pilot program.

H.B. 1324 requires TxDOT to initiate the pilot program as soon as practicable but not later than December 31, 2015. The bill requires TxDOT, not later than December 31, 2017, to submit to

the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each legislative standing committee with primary jurisdiction over transportation a written report that contains a description of the results of the program based on local operational experience attained under the program, any recommendations for changes to the program, and a plan on how TxDOT will convert the program into a permanent program. The bill authorizes TxDOT to cancel the program if TxDOT finds evidence of a trend of increasing vehicle accidents attributable to operation of buses under the program and prohibits TxDOT from establishing or operating a motor-bus-only lane on a highway or toll facility maintained by a regional tollway authority without the authority's consent.

H.B. 1324 includes a motor bus of a mass transit entity operating under the pilot program on a shoulder designated by TxDOT under the program among the vehicles exempt from the limitation on driving on an improved shoulder.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.