

BILL ANALYSIS

S.B. 399
By: Kolkhorst
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that some tolling entities have recently taken advantage of an unintended loophole in state law that allows these entities to use frontage lanes to satisfy certain requirements for the reconstruction of a highway segment as a toll project based on the number of existing nontolled lanes. S.B. 399 seeks to address this loophole by revising the criteria for the operation of a nontolled state highway or segment of a nontolled state highway as a toll project.

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

S.B. 399 amends the Transportation Code to authorize the Texas Department of Transportation (TxDOT), in determining the number of nontolled lanes required to satisfy the exception based on the reconstruction of a highway or highway segment that achieves a certain number of nontolled lanes to the prohibition against TxDOT operating a nontolled state highway or segment of a nontolled state highway as a toll project and transferring a highway or segment to another entity for operation as a toll project, to consider only a general-purpose lane that is part of the highway. The bill prohibits TxDOT in making such a determination from considering a lane of a frontage road to be a nontolled lane before or after reconstruction of the highway.

EFFECTIVE DATE

September 1, 2017.