

BILL ANALYSIS

Senate Research Center

S.B. 434
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Transportation & Homeland Security
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Motor buses must use highway lanes to travel even when these lanes are congested. This makes the use of mass transit less functional and appealing.

S.B. 434 relates to the establishment and operation of a public transit motor-bus-only lane pilot program in certain counties.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 455, Transportation Code, by adding Section 455.006, as follows:

Sec. 455.006. PUBLIC TRANSIT MOTOR-BUS-ONLY LANE PILOT PROGRAM.

(a) Requires the Texas Department of Transportation (TxDOT), in consultation with the Department of Public Safety (DPS) and in conjunction with the appropriate mass transit authorities and municipalities served by those authorities and with any municipality that has a mass transit department, to establish and operate a public transit motor-bus-only lane pilot program for highways in Bexar, Denton, El Paso, and Travis Counties that are part of the state highway system and have shoulders of sufficient width and structural integrity.

(b) Requires that the public transit motor-bus-only lane pilot program provide for the use by public transit motor buses of highway shoulders as a low-speed bypass of congested highway lanes when the speed of the vehicles being operated on the main traveled part of the adjacent highways is 35 miles per hour or less; limit the maximum speed of a public transit motor bus being operated on a public transit motor-bus-only lane to not more than 15 miles per hour greater than the speed of vehicles being operated on the main traveled part of the adjacent highway; gain local operational experience with the conversion of existing highway shoulders to public transit motor-bus-only lanes during peak traffic periods; take into consideration certain criteria; and be limited to public transit motor buses operated by the mass transit authorities or municipal mass transit departments in the counties specified by Subsection (a).

(c) Requires TxDOT to initiate the public transit motor-bus-only lane pilot program as soon as practicable but not later than December 31, 2009.

(d) Prohibits TxDOT, notwithstanding Subsection (a), from establishing or operating a public transit motor-bus-only lane on a highway or toll facility maintained by a regional tollway authority established under Chapter 366 (Regional Tollway Authorities) without the authority's consent.

SECTION 2. Amends Section 542.002, Transportation Code, as follows:

Sec. 542.002. GOVERNMENT VEHICLES. Provides that a provision of this subtitle applicable to an operator of a vehicle applies to the operator of a vehicle owned or operated by the United States, this state, or a political subdivision of this state, except as specifically provided otherwise by this subtitle, rather than except as specifically provided otherwise by this subtitle for an authorized emergency vehicle.

SECTION 3. Amends Section 545.058(c), Transportation Code, to provide that a limitation in this section on driving on an improved shoulder does not apply to a public transit motor bus of a transportation entity described by Section 455.006 operating on a shoulder designated by TxDOT under that section. Makes nonsubstantive changes.

SECTION 4. Amends Section 545.352, Transportation Code, by adding Subsection (c-1), to provide that the maximum speed limit for a public transit motor bus of a transportation entity described by Section 455.006 that is operating on the shoulder of a highway designated as a public transit motor-bus-only lane by TxDOT under that section is 35 miles per hour.

SECTION 5. Effective date: upon passage or September 1, 2009.