

BILL ANALYSIS

H.B. 2327
By: McClendon
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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. For many years, several states and communities have allowed buses to safely operate on highway shoulders. The goal of H.B. 2327 is to establish a motor-bus-only lane pilot program for highways in Bexar, Denton, El Paso, and Travis Counties that are part of the state highway system that have shoulders of sufficient width and structural integrity. The bill requires the Texas Department of Transportation, in consultation with the Department of Public Safety and in conjunction with the appropriate mass transit authorities and the municipalities served by those authorities, to establish and operate the pilot program.

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. 2327 amends the Transportation Code to require the Texas Department of Transportation (TxDOT), in consultation with the Department of Public Safety and in conjunction with the appropriate mass transit authorities and the municipalities served by those authorities, to establish and operate a 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. The bill requires the program to provide for the use by motor buses of highway shoulders as a low-speed bypass of congested highway lanes when the speed of vehicles being operated on the main traveled part of the adjacent highway is 35 miles per hour or less; limit the maximum speed of a motor bus being operated on a motor-bus-only lane to the lower of 15 miles per hour greater than the speed of vehicles being operated on the main traveled part of the adjacent highway or 35 miles per hour; provide for attainment of local operational experience with the conversion of existing highway shoulders to motor-bus-only lanes during peak traffic periods; and include consideration of safety, travel time and reliability, driver and passenger perceptions, level of service and maintenance, and capital improvements. The bill makes conforming changes.

H.B. 2327 requires TxDOT to include in the program 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 TxDOT, in coordination with appropriate transit authorities, to fund the implementation of such program features. The bill requires metropolitan rapid transit authorities that participate in the program to reimburse TxDOT for the funds spent on implementation of the program features. The bill 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. 2327 requires TxDOT to initiate the motor-bus-only lane pilot program as soon as practicable but not later than December 31, 2011. The bill requires TxDOT, not later than December 31, 2013, 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, any recommendations for changes to the program, and a plan on how TxDOT will convert the program into a permanent program. The bill 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.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.