

1-1 By: Hall S.B. No. 1143
 1-2 (In the Senate - Filed February 28, 2017; March 7, 2017,
 1-3 read first time and referred to Committee on Transportation;
 1-4 May 3, 2017, reported favorably by the following vote: Yeas 5,
 1-5 Nays 1; May 3, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nichols	X			
1-8 Hall	X			
1-9 Creighton			X	
1-10 Garcia		X		
1-11 Hancock	X			
1-12 Hinojosa			X	
1-13 Kolthorst			X	
1-14 Perry	X			
1-15 Rodríguez	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to a prohibition on converting high occupancy vehicle
 1-20 highway lanes to tolled lanes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 228.201, Transportation Code, is amended
 1-23 to read as follows:

1-24 Sec. 228.201. LIMITATION ON TOLL FACILITY DESIGNATION.

1-25 ~~[(a)]~~ The department may not operate a nontolled state highway or
 1-26 a segment of a nontolled state highway as a toll project, and may
 1-27 not transfer a highway or segment to another entity for operation as
 1-28 a toll project, unless:

1-29 (1) the commission by order designated the highway or
 1-30 segment as a toll project before the contract to construct the
 1-31 highway or segment was awarded;

1-32 (2) the project was designated as a toll project in a
 1-33 plan or program of a metropolitan planning organization on or
 1-34 before September 1, 2005;

1-35 (3) the highway or segment is reconstructed so that
 1-36 the number of nontolled lanes on the highway or segment is greater
 1-37 than or equal to the number in existence before the reconstruction;
 1-38 or

1-39 (4) a facility is constructed adjacent to the highway
 1-40 or segment so that the number of nontolled lanes on the converted
 1-41 highway or segment and the adjacent facility together is greater
 1-42 than or equal to the number in existence on the converted highway or
 1-43 segment before the conversion~~[, or~~

1-44 ~~[(5) subject to Subsection (b), the highway or segment~~
 1-45 ~~was open to traffic as a high-occupancy vehicle lane on May 1,~~
 1-46 ~~2005].~~

1-47 ~~[(b) The department may operate or transfer a~~
 1-48 ~~high-occupancy vehicle lane under Subsection (a)(5) as a tolled~~
 1-49 ~~lane only if the department or other entity operating the lane~~
 1-50 ~~allows vehicles occupied by a specified number of passengers to use~~
 1-51 ~~the lane without paying a toll.]~~

1-52 SECTION 2. This Act takes effect immediately if it receives
 1-53 a vote of two-thirds of all the members elected to each house, as
 1-54 provided by Section 39, Article III, Texas Constitution. If this
 1-55 Act does not receive the vote necessary for immediate effect, this
 1-56 Act takes effect September 1, 2017.

1-57 * * * * *