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**The following 53 amendments were
published on 5/15/17 12:57 PM**



17 MAY 15 AM 9:51
HOUSE OF REPRESENTATIVES

BY: [Signature]

FLOOR AMENDMENT NO. _____

Amend C.S.S.B. No. 312 (house committee report) by striking the following appropriately numbered SECTION and renumbering the subsequent SECTIONS of the bill accordingly:

~~SECTION 4. Sections 201.601(a-1) and (d), Transportation Code, are amended to read as follows: (a-1)AAThe plan must: (1)AAcontain specific and clearly defined transportation system strategies, long-term transportation goals for the state and measurable targets for each goal, and other related performance measures; (2)AAidentify priority corridors, projects, or areas of the state that are of particular concern to the department in meeting the goals established under Subdivision (1); and (3)AAcontain a participation plan specifying methods for obtaining formal input on the goals and priorities identified under this subsection from: 1-2 3-4 5-6 7-8 9-10 11-12 13-14 15-16 17-18 19-20 21-22 23-24 25-26 27 C.S.S.B.No.A312 3 (A)AAother state agencies; (B)AApolitical subdivisions; (C)AAlocal transportation entities; and (D)AAthe general public. (d)AAIn selecting transportation projects, the [The] department shall consider the transportation system strategies, goals and measurable targets, and other related performance measures established under Subsection (a-1)(1) [in selecting transportation projects].~~



852023

17 MAY 15 AM 9:51
HOUSE OF REPRESENTATIVES
BY: _____

FLOOR AMENDMENT NO. _____

Amend C.S.S.B. No. 312 (house committee report) by striking the following appropriately numbered SECTION and renumbering the subsequent SECTIONS of the bill accordingly:

~~SECTION 3. Section 201.204, Transportation Code, is amended to read as follows: Sec.A201.204.AASUNSET PROVISION. The Texas Department of Transportation is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2029 {2017}.~~



17 MAY 15 AM 8:45
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Trent Ashley

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Chapter 199, Transportation Code, is amended
5 by adding Section 199.003 to read as follows:

6 Sec. 199.003. USE OF STATE MONEY FOR HIGH-SPEED RAIL.

7 (a) For the purposes of this section, "high-speed rail" means
8 intercity passenger rail service that is reasonably expected to
9 reach speeds of at least 110 miles per hour.

10 (b) Except as required by federal law or other state law,
11 including the National Environmental Policy Act of 1969 (42 U.S.C.
12 Section 4321 et seq.):

13 (1) the legislature may not appropriate money to the
14 department to pay for a cost of planning, facility construction or
15 maintenance, or security for, promotion of, or operation of,
16 high-speed rail operated by a private entity; and

17 (2) the department may not accept or use state money to
18 pay for a cost described by Subdivision (1).

19 (c) The department shall prepare a semiannual report of each
20 expense described by this section and submit a copy of each report
21 to:

- 22 (1) the commission;
- 23 (2) the comptroller;
- 24 (3) the committee in each house of the legislature
25 with primary jurisdiction over transportation;
- 26 (4) the speaker of the house of representatives;
- 27 (5) the lieutenant governor; and
- 28 (6) the governor.

29 (d) This section is not intended to preclude or limit the

1 execution of the department's responsibilities under federal law or
2 other state law, including:
3 (1) regulatory responsibilities;
4 (2) oversight of transportation projects;
5 (3) environmental review;
6 (4) policy development;
7 (5) communication with public officials; or
8 (6) coordinating with a private entity that operates
9 or proposes to operate high-speed rail in the same manner that the
10 department coordinates with other entities that operate
11 transportation projects.



FLOOR AMENDMENT NO. _____

BY: Blanco

17 MAY 15 AM 9:44

HOUSE OF REPRESENTATIVES

Amend C.S.S.B. 312 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Subchapter B, Chapter 222, Transportation Code, is amended by adding Section 222.036 to read as follows:

Sec. 222.036. DESIGNATION OF CERTAIN FUNDS FOR BORDER INFRASTRUCTURE PROJECTS. As provided by Fixing America's Surface Transportation Act (Pub. L. No. 114-94) or other similar federal law, the governor shall, each fiscal year, designate at least five percent of funds available to this state under 23 U.S.C. Section 133(d)(1)(B) for border infrastructure projects.



852010

17 MAY 15 AM 9:32

FLOOR AMENDMENT NO. HOUSE OF REPRESENTATIVES

BY: CAIN

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION __. Section 228.201, Transportation Code, is
5 amended to read as follows:

6 Sec. 228.201. LIMITATION ON TOLL FACILITY DESIGNATION.

7 (a) The department may not operate a nontolled state highway or
8 a segment of a nontolled state highway as a toll project, and
9 may not transfer a highway or segment to another entity for
10 operation as a toll project, unless:

11 (1) the commission by order designated the highway or
12 segment as a toll project before the contract to construct the
13 highway or segment was awarded;

14 (2) the project was designated as a toll project in a
15 plan or program of a metropolitan planning organization on or
16 before September 1, 2005;

17 (3) the highway or segment is reconstructed so that
18 the number of nontolled lanes on the highway or segment is
19 greater than or equal to the number in existence before the
20 reconstruction; or

21 (4) a facility is constructed adjacent to the highway
22 or segment so that the number of nontolled lanes on the
23 converted highway or segment and the adjacent facility together
24 is greater than or equal to the number in existence on the
25 converted highway or segment before the conversion[~~+~~ ~~or~~

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

29 (b) In determining the number of nontolled lanes required

1 to comply with Subsection (a)(3), the department:

2 (1) may consider only a general-purpose lane that is
3 part of the highway; and

4 (2) may not consider a lane of a frontage road to be
5 a nontolled lane before or after reconstruction of the highway.

6 ~~[The department may operate or transfer a high-occupancy vehicle~~
7 ~~lane under Subsection (a)(5) as a tolled lane only if the~~
8 ~~department or other entity operating the lane allows vehicles~~
9 ~~occupied by a specified number of passengers to use the lane~~
10 ~~without paying a toll.]~~

11 SECTION __. Section 228.201, Transportation Code, as
12 amended by this Act, applies only to project to convert a
13 nontolled highway segment to a tolled highway segment for which
14 construction begins on or after the effective date of this Act.
15 A conversion project for which construction begins before the
16 effective date of this Act is governed by the law in effect when
17 the construction began, and the former law is continued in
18 effect for that purpose.



17 MAY 15 AM 9:26

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Cosper

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter A, Chapter 222, Transportation
5 Code, is amended by adding Section 222.007 to read as follows:

6 Sec. 222.007. ALLOCATION OF MONEY FROM TRANSPORTATION
7 PROJECT DELAYS. (a) The department shall establish a system to
8 track liquidated damages, including road user costs, retained by
9 the department associated with delayed transportation project
10 contracts.

11 (b) The system must allow the department to correlate the
12 liquidated damages with:

13 (1) the project that was the subject of the damages;
14 and

15 (2) each department district in which the project that
16 was the subject of the damages is located.

17 (c) Each year, the department shall:

18 (1) for each department district, determine the amount
19 of money described by Subsection (a) retained in the previous year
20 that is attributable to projects located in the district; and

21 (2) in addition to other amounts, allocate to each
22 department district an amount of money equal to the amount
23 determined for the district under Subdivision (1) to be used for
24 transportation projects located in that district.

25 (d) If a transportation project that was the subject of
26 liquidated damages is located in more than one department district,
27 the department may reasonably allocate the amount of the liquidated
28 damages from that project among the districts in which the project
29 is located.



851992

FLOOR AMENDMENT NO. _____

BY:

J.P.G.

Amend CSSB 312 (house committee report) ^{17 MAY 15 AM 9:15} by adding the following appropriately numbered SECTIONS ^{HOUSE OF REPRESENTATIVES} to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. Section 114.001, Civil Practice and Remedies Code, is amended by amending Subsection (2) to read as follows:

Sec. 114.001. DEFINITIONS. In this chapter: (2) "Contract subject to this chapter" means a written contract stating the essential terms of the agreement for providing goods or services to the state agency that is properly executed on behalf of the state agency. The term does not include a contract ~~[that is subject to Section 201.112, Transportation Code]~~ to which the Texas Department of Transportation is a party.

SECTION _____. Section 114.003, Civil Practice and Remedies Code, is amended to read as follows:

SECTION _____. Section 114.004, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 114.004. LIMITATIONS ON ADJUDICATION AWARDS.

(3) reasonable and necessary attorney's fees that are equitable and just ~~[based on an hourly rate that are equitable and just if the contract expressly provides that recovery of attorney's fees is available to all parties to the contract];~~ and

(4) interest at the rate specified by the contract or, if a rate is not specified, the rate for postjudgment interest under Section 304.003(c), Finance Code, but not to exceed 10 percent.

(b) Damages awarded in an adjudication brought against a state agency arising under a contract subject to this chapter may not include:

(1) consequential damages, except as expressly allowed under Subsection (a) (1);

(2) exemplary damages; or

(3) damages for unabsorbed home office overhead.

SECTION _____. Chapter 114, Civil Practice and Remedies Code, as amended by this Act, applies only to a claim arising under a contract

executed on or after the effective date of this Act. A claim that arises under a contract executed before the effective date of this Act is governed by the law applicable to the claim immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION _____. Section 2260.003, Government Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding Subsection (c), an award of damages under this chapter may include attorney's fees if:

(1) the claim is for breach of a written contract for:

(A) engineering, architectural, or construction services; or

(B) materials related to the services described by Paragraph (A); and

(2) the amount in controversy is less than \$250,000, excluding penalties, costs, expenses, prejudgment interest, and attorney's fees.

SECTION _____. Section 2260.003, Government Code, as amended by this Act, applies only to an action filed on or after the effective date of this Act. An action filed before the effective date of this Act is governed by the law applicable to the action immediately before the effective date of this Act, and that law is continued in effect for that purpose.



FLOOR AMENDMENT NO. _____ 17 MAY 15 AM 10:47 BY: Davis (of Dallas)

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. The heading to Chapter 455, Transportation
5 Code, is amended to read as follows:

6 CHAPTER 455. [~~GENERAL~~] POWERS AND DUTIES OF DEPARTMENT OF
7 TRANSPORTATION REGARDING MASS TRANSPORTATION

8 SECTION _____. Chapter 455, Transportation Code, is
9 amended by designating Sections 455.001 through 455.004 as
10 Subchapter A and adding a subchapter heading to read as follows:

11 SUBCHAPTER A. GENERAL POWERS AND DUTIES

12 SECTION _____. Section 455.002, Transportation Code, is
13 amended to read as follows:

14 Sec. 455.002. DEPARTMENT POWERS REGARDING MASS
15 TRANSPORTATION. The Texas Department of Transportation may:

16 (1) purchase, construct, lease, and contract for
17 public transportation systems;

18 (2) use the expertise of recognized private
19 authorities or consultants to plan and design public and mass
20 transportation systems;

21 (3) represent this state in each public and mass
22 transportation matter before a state or federal agency;

23 (4) subject to Section 455.052, apply for and receive
24 a gift or grant from a governmental or private source for use in
25 performing the department's functions under this chapter;

26 (5) contract as necessary to perform a function under
27 this chapter; and

28 (6) recommend legislation necessary to advance this
29 state's interest in public and mass transportation.

1 SECTION _____. Chapter 455, Transportation Code, is
2 amended by adding Subchapter B to read as follows:

3 SUBCHAPTER B. STATE SAFETY OVERSIGHT PROGRAM

4 Sec. 455.051. DEFINITION. In this subchapter, "rail fixed
5 guideway public transportation system" has the meaning assigned
6 by 49 C.F.R. Section 674.7.

7 Sec. 455.052. DESIGNATION OF STATE SAFETY OVERSIGHT
8 AGENCY; REQUIREMENTS AND PROHIBITIONS. (a) The department is
9 designated as the agency responsible for implementing a state
10 safety oversight program that satisfies the requirements of 49
11 U.S.C. Section 5329(e).

12 (b) Unless waived under 49 U.S.C. Section 5329(e), the
13 department:

14 (1) shall be financially and legally independent from
15 any rail fixed guideway public transportation system under the
16 oversight of the department; and

17 (2) may not employ an individual who is also employed
18 by a rail fixed guideway public transportation system under the
19 oversight of the department.

20 (c) The department may not directly provide public
21 transportation services in an area with a rail fixed guideway
22 public transportation system under the oversight of the
23 department.

24 (d) A public transportation entity may not provide funds
25 to the department.

26 Sec. 455.053. OVERSIGHT. The department shall oversee all
27 safety aspects of rail fixed guideway public transportation
28 systems in accordance with 49 U.S.C. Section 5329, including the
29 development, implementation, and application of the public
30 transportation agency safety plan.

31 Sec. 455.054. ENFORCEMENT. The department shall:

1 (1) enforce federal and state laws on rail fixed
2 guideway public transportation safety;

3 (2) review, revise, approve, oversee, and enforce the
4 public transportation agency safety plan required under 49
5 U.S.C. Section 5329(d), including the implementation by a rail
6 fixed guideway public transportation system of the system's
7 plan;

8 (3) investigate and enforce the safety of rail fixed
9 guideway public transportation systems; and

10 (4) coordinate all enforcement responsibilities with
11 other governmental entities as needed.

12 Sec. 455.055. STAFFING LEVELS; TRAINING. (a) The
13 department, in consultation with the Federal Transit
14 Administration, shall determine an appropriate staffing level
15 for the state safety oversight program that is commensurate with
16 the number, size, and complexity of rail fixed guideway public
17 transportation systems in this state.

18 (b) The department shall ensure that the personnel who are
19 responsible for rail fixed guideway public transportation safety
20 oversight are qualified to perform oversight functions through
21 appropriate training, including the successful completion of the
22 public transportation safety certification training program
23 established under 49 U.S.C. Section 5329(c).

24 Sec. 455.056. AUDIT OF COMPLIANCE WITH PUBLIC
25 TRANSPORTATION AGENCY SAFETY PLAN. At least once every three
26 years, the department shall audit the compliance of the rail
27 fixed guideway public transportation systems in this state with
28 the public transportation agency safety plan required by 49
29 U.S.C. Section 5329(d).

30 Sec. 455.057. ANNUAL STATUS REPORT. The department shall
31 provide an annual status report on the safety of the state's

1 rail fixed guideway public transportation systems to the
2 governor, the lieutenant governor, the speaker of the house of
3 representatives, the Federal Transit Administration, and the
4 governing body of each rail fixed guideway public transportation
5 system under the oversight of the department.

6 Sec. 455.058. USE OF CONTRACTOR. (a) The department may
7 enter into an agreement with a contractor to act on behalf of
8 the department in carrying out the duties of the department
9 under this subchapter.

10 (b) A contractor may not provide services to both the
11 department and a rail fixed guideway public transportation
12 system under the oversight of the department unless the
13 provision of those services is authorized by a waiver issued by
14 the Federal Transit Administrator or the administrator's
15 designee.

16 Sec. 455.059. CONFIDENTIAL INFORMATION. The data
17 collected for and the report of an investigation conducted under
18 this subchapter by the department or a contractor acting on
19 behalf of the department and any part of a rail fixed guideway
20 public transportation system safety plan that concerns security
21 for the system are confidential and not subject to disclosure
22 under Chapter 552, Government Code.

23 Sec. 455.060. RULES. The commission shall adopt rules
24 necessary to implement this subchapter.

25 SECTION _____. Section 455.005, Transportation Code, is
26 repealed.

27 SECTION _____. Not later than March 1, 2019, the Texas
28 Transportation Commission shall adopt rules to implement
29 Subchapter B, Chapter 455, Transportation Code, as added by this
30 Act.



FLOOR AMENDMENT NO. 17 MAY 15 AM 9:21

BY: Gonzales, L.

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (House committee printing) by striking
2 page 28, line 23, through page 29, line 8 (added Sec.
3 2205.036(d) and (e) in SECTION 40 of the bill), and
4 substituting:

5 "(d) Before a person may use a state-operated aircraft,
6 the person must sign an affidavit stating that the person is
7 traveling on official state business. The person may be
8 authorized to use state-operated aircraft for official state
9 business for a period of one year after the date that the signed
10 affidavit is received by the department. A member of the
11 legislature is not required to receive any other authorization
12 to use a state-operated aircraft.

13 (e) Before an employee of a state agency may use a state-
14 operated aircraft, the administrative head of the state agency
15 must certify to the department that the employee's
16 transportation complies with the requirements of this section."



FLOOR AMENDMENT NO. _____

17 MAY 15 AM 9:20 BY: Gonzales, L.

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (House committee printing) on page
2 32, line 14 (in added Sec. 2205.040(d) in SECTION 43 of the
3 bill), by adding the following after the period:

4 "Investment income generated by money deposited to the
5 credit of the account shall be credited to the account."



852027

FLOOR AMENDMENT NO. _____

17 MAY 15 AM 10:08 BY: Herrero
HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Not later than March 1, 2018, the Texas
5 Department of Transportation shall implement the recommended
6 management actions contained in Issue 4 of the Sunset Advisory
7 Commission Staff Report for the Texas Department of
8 Transportation, 85th Legislature, that:

9 (1) were approved by the Sunset Advisory Commission;
10 and

11 (2) direct the department to develop a standard
12 process for addressing failure to meet business opportunity
13 program goals.



852028

17 MAY 15 AM 10:01

FLOOR AMENDMENT NO. _____ HOUSE OF REPRESENTATIVES

BY: Herrero

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Not later than March 1, 2018, the Texas
5 Department of Transportation shall implement the recommended
6 management actions contained in Issue 4 of the Sunset Advisory
7 Commission Staff Report for the Texas Department of
8 Transportation, 85th Legislature, that:

9 (1) were approved by the Sunset Advisory Commission;
10 and

11 (2) direct the department to evaluate the small
12 business enterprise program and require the department to
13 develop policies and rules to provide meaningful opportunities
14 for small businesses.



852029

FLOOR AMENDMENT NO. _____ 17 MAY 15 AM 10:01 BY: Monero
HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Not later than March 1, 2018, the Texas
5 Department of Transportation shall implement the recommended
6 management actions contained in Issue 4 of the Sunset Advisory
7 Commission Staff Report for the Texas Department of
8 Transportation, 85th Legislature, that:

9 (1) were approved by the Sunset Advisory Commission;
10 and

11 (2) relate to streamlining the department's
12 certification process for the small business enterprise program
13 and increasing participation of businesses eligible for multiple
14 programs.



17 MAY 15 AM 8:35
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Kaca

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 621.508(a), Transportation Code, is
5 amended to read as follows:

6 (a) It is an affirmative defense to prosecution of, or an
7 action under Subchapter F for, the offense of operating a vehicle
8 with a single axle weight or tandem axle weight heavier than the
9 axle weight authorized by law that at the time of the offense the
10 vehicle:

11 (1) had a single axle weight or tandem axle weight that
12 was not heavier than the axle weight authorized by law plus 12
13 percent;

14 (2) was loaded with:

15 (A) timber, pulp wood, wood chips, [~~or~~] cotton,
16 livestock, livestock feed, grain, brewer's grains, distiller's
17 grains, or corn gluten meal; or

18 (B) other agricultural products that are:

19 (i) [~~(A)~~] in their natural state; and

20 (ii) [~~(B)~~] being transported from the place
21 of production to the place of first marketing or first processing;
22 and

23 (3) was not being operated on a portion of the national
24 system of interstate and defense highways.

25 SECTION _____. Section 621.508(a), Transportation Code, as
26 amended by this Act, applies only to an offense committed on or
27 after the effective date of this Act. An offense committed before
28 the effective date of this Act is governed by the law in effect on
29 the date the offense was committed, and the former law is continued

1 in effect for that purpose. For purposes of this section, an offense
2 was committed before the effective date of this Act if any element
3 of the offense occurred before that date.



17 MAY 15 AM 9:46
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend Senate Bill 312, committee report printing to include the appropriately numbered SECTION below:

SECTION ____ . The Texas Department of Transportation may enter into agreements with local governments, convention and visitors bureaus, chambers of commerce, or other governmental or non-governmental entities for the purpose of purchasing supplies and materials to be used for aesthetic entrances to cities or census designated places along interstate or highway corridors and ornamental decorations along overpasses, however the Department of Transportation shall not expend appropriated funds to plan, design, or construct solely aesthetic entrances to cities or census designated places along interstate or highway corridors and ornamental decorations along overpasses.



17 MAY 14 PM 12:09
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Lucio, III

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 370.305, Transportation Code, is
5 amended by adding Subsection (d) to read as follows:

6 (d) Notwithstanding Subsection (c), an authority created by
7 a county that borders the United Mexican States and has a population
8 of 200,000 or more may enter into a comprehensive development
9 agreement under this subchapter.



17 MAY 15 AM 8:59
HOUSE OF REPRESENTATIVES

C.S.S.B. No. 312

FLOOR AMENDMENT NO. _____

BY: *De A. King*

1 On page 14, insert the following after line 26:

2 SECTION 20. Section 203.031(a-1), Transportation Code, is amended to read as follows:

3 (a-1) In the exercise of its authority to manage access to or from a controlled access
4 highway under Subsection (a)(2) or (4), the commission by rule shall:

5 (1) Require that a decision by a department district office granting or denying a
6 request for driveway or other access to a specific location on a controlled access
7 highway must be made within 60 days after the date of receipt of the request,
8 be in writing, and include the reasons for the denial;

9 SECTION 21. Section 203.031(c), Transportation Code, is added to read as follows:

10 (c) In the event access is required to be constructed, re-constructed, or modified as a
11 result of construction, expansion, re-construction, or maintenance of a controlled access highway
12 by the department, the department will be responsible for construction of the driveway or other
13 access and for payment of all costs, including but not limited to design, engineering, and
14 construction, associated with providing the driveway or other access. In all other circumstances,
15 the construction of the driveway or other access and the costs, including design, engineering, and
16 construction associated with providing the driveway or other access will be paid by the person
17 requesting the driveway or other access.



17 MAY 15 AM 8:59
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

1 Amend 6.S.S. B. No. 312 by adding the following appropriately
2 numbered SECTION to the bill and renumbering the subsequent
3 SECTIONS of the bill appropriately:

4 SECTION _____. Subchapter I, Chapter 622, Transportation
5 Code, is amended by adding Section 622.102 to read as follows:

6 Sec. 622.102. VEHICLES TRANSPORTING CERTAIN AGRICULTURAL
7 PRODUCTS DURING HARVEST SEASON. (a) This section applies only to a
8 vehicle or a combination of vehicles being used to transport
9 sugarcane or grains, including sorghum, in their natural state not
10 more than 100 miles from the place of production to the place of
11 first marketing or first processing.

12 (b) A vehicle or combination of vehicles to which this
13 section applies may be operated at a weight that exceeds the weight
14 limitations of Section 621.101 by not more than 10 percent if the
15 vehicle or combination of vehicles is operated:

16 (1) during the harvest season for the products being
17 transported; and

18 (2) in a county that is:

19 (A) located on the Texas-Mexico border and
20 adjacent to the Gulf of Mexico;

21 (B) adjacent to a county described by Paragraph
22 (A); or

23 (C) adjacent to a county described by Paragraph
24 (B) and has a population of more than 60,000.

25 (c) The department, in coordination with the Texas A&M
26 AgriLife Extension Service, by rule shall determine the harvest
27 season of each agricultural product authorized to be transported
28 under this section.

29 (d) This section does not authorize the operation on the

1 national system of interstate and defense highways in this state of
2 a vehicle or combination of vehicles of a size or weight greater
3 than that permitted under 23 U.S.C. Section 127.

4 (e) This section does not authorize the operation of a
5 vehicle or combination of vehicles in excess of the weight
6 authorized for a load-zoned bridge in this state.



17 MAY 15 AM 8:59
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: *De A. H. J.*

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 223.2011, Transportation Code, is
5 amended by adding Subsection (a-1) and amending Subsections (b) and
6 (f) to read as follows:

7 (a-1) This subsection expires August 31, 2019.
8 Notwithstanding Sections 223.201(f) and 370.305(c), the department
9 or a regional mobility authority may enter into a comprehensive
10 development agreement for:

11 (1) the International Bridge Trade Corridor project in
12 Hidalgo County;

13 (2) the U.S. Highway 83 La Joya Relief Route project in
14 Hidalgo County; and

15 (3) the State Highway 68 project in Hidalgo County.

16 (b) Before the department or an authority may enter into a
17 comprehensive development agreement under this section, the
18 department or the authority, as applicable, must:

19 (1) obtain the appropriate environmental clearance:

20 (A) for the project; or

21 (B) for the initial or base scope of the project
22 if the project agreement provides for the phased construction of
23 the project;

24 (2) obtain from the commission a finding stating that
25 the commission does not expect appropriated or other funds to be
26 available for the project for a period of 10 years from the date of
27 the issuance of the finding; and

28 (3) present to the commission a full financial plan
29 for the project, including costing methodology and cost proposals

1 [~~meet the requirements under Section 223.201(j)~~].

2 (f) The authority to enter into a comprehensive development
3 agreement under Subsection (a) [~~this section~~] expires August 31,
4 2017.



17 MAY 15 AM 8:58
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ . Section 203.031, Transportation Code, is
5 amended by amending Subsection (a-1) and adding Subsections (c) and
6 (d) to read as follows:

7 (a-1) In the exercise of its authority to manage access to
8 or from a controlled access highway under Subsection (a)(2) or (4),
9 the commission by rule shall:

10 (1) require that a decision by a department district
11 office on [denying] a request for a driveway or other access to a
12 specific location on a controlled access highway;

13 (A) be made not later than the 60th day after the
14 date of receipt of the request;

15 (B) be in writing; and

16 (C) if the decision is denying the request,
17 include the reasons for the denial;

18 (2) provide procedures for appealing a denial under
19 Subdivision (1), including procedures that:

20 (A) allow the applicant to appeal the denial to
21 the department's design division before the 31st day after the date
22 written notice of the denial is given to the applicant;

23 (B) provide that if an appeal under Paragraph (A)
24 is not decided before the 91st day after the date the appeal was
25 filed, the access applied for must be granted; and

26 (C) allow the applicant to appeal the decision of
27 the design division to the director and, if the decision is
28 affirmed, to a board of variance appointed by the director and
29 composed of at least three persons who may not be below the level of

1 department division director, office director, or district
2 engineer and who were not involved in the original decision to deny
3 access;

4 (3) provide that properly platted access points to or
5 from a controlled access highway that are located on undeveloped
6 property are subject to the access management standards in effect
7 at the time the points were platted regardless of when the initial
8 request for access was submitted to the department, but only if:

9 (A) development of the property begins and the
10 request for access at the platted locations is submitted to the
11 department before the fifth anniversary of the date the plat was
12 recorded; and

13 (B) the design of the highway facility in the
14 vicinity of the platted access points did not materially change
15 after the date the plat was recorded so as to significantly impact
16 traffic patterns to the extent that the platted access points
17 present a threat to public safety;

18 (4) require that:

19 (A) owners of land adjacent to a proposed highway
20 construction project be provided written notice of the project at
21 least 60 days before the date construction begins if the project
22 will permanently alter permitted access to or from a controlled
23 access highway at the owners' existing locations; and

24 (B) the access described by Paragraph (A) be
25 reinstated to the most practicable extent possible after due
26 consideration of the impact on highway safety, mobility, and
27 efficient operation of any changed traffic patterns resulting from
28 the construction;

29 (5) adopt criteria for determining when a variance to
30 access management standards may be granted, including criteria
31 that, in addition to highway safety, mobility, and efficient

1 operation concerns, takes into consideration any of the following
2 consequences resulting from denial of the owner's request for
3 access to a specific location on a controlled access highway that
4 may impact a property owner:

5 (A) denial of reasonable access to the property;
6 and

7 (B) undue hardship on a business located on the
8 property; ~~and~~

9 (6) provide that a variance to a requirement contained
10 in the access management standards must be approved by the director
11 or director's designee, require the director or the director's
12 designee to make a final determination on a request for a variance
13 to a requirement contained in the access management standards not
14 later than the 60th day after the date of receipt of the request,
15 and require a designee described by this subdivision to be a person
16 who:

17 (A) is a senior management employee at the
18 department; and

19 (B) reports directly to the director; and

20 (7) clarify that the remodeling or demolition and
21 rebuilding of a business does not cause new access management
22 standards to apply unless the department makes an affirmative
23 finding in writing that the remodeled or rebuilt business will
24 significantly impact traffic patterns to the extent that the
25 current access location presents a threat to public safety.

26 (c) Except as provided by Subsection (d), the person
27 requesting the construction of a driveway or other access to a
28 controlled access highway is responsible for:

29 (1) the construction of the driveway or other access;
30 and

31 (2) payment of the costs associated with the

1 construction of the driveway or other access, including design,
2 engineering, and construction costs.

3 (d) If a driveway or other access is required to be
4 constructed, reconstructed, or modified as a result of
5 construction, expansion, reconstruction, or maintenance of a
6 controlled access highway by the department, the department is
7 responsible for:

8 (1) the construction, reconstruction, or modification
9 of the driveway or other access; and

10 (2) payment of the costs associated with the
11 construction, reconstruction, or modification of the driveway or
12 other access, including design, engineering, and construction
13 costs.

14 SECTION _____. Not later than January 1, 2018, the Texas
15 Transportation Commission shall adopt the rules required by Section
16 203.031, Transportation Code, as amended by this Act.



17 MAY 15 AM 9:12
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering the SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter B, Chapter 224, Transportation
5 Code, is amended by adding Section 224.034 to read as follows:

6 Sec. 224.034. HIGHWAY CLOSURES DURING CERTAIN PERIODS. (a)
7 If a proposed improvement of the state highway system requires the
8 closing of a highway, the department shall, before entering into a
9 contract for the proposed improvement, coordinate the highway
10 closure by communicating in person or by telephone call, e-mail, or
11 other direct method of communication with public officials from
12 municipalities affected by the closure to avoid any adverse
13 economic impact on the municipalities during:

14 (1) periods of increased travel on the state highway
15 system, including major state and federal holidays and school
16 holidays; and

17 (2) other periods of high commercial activity in the
18 state, including limited periods in which certain items are
19 exempted from the sales tax imposed by Chapter 151, Tax Code.

20 (b) A contract for the proposed improvement of the state
21 highway system that requires the closing of a highway as described
22 by Subsection (a) must include a provision identifying the days on
23 which the highway may not be closed.

24 (c) The department shall submit an annual report to the
25 governor, the lieutenant governor, the speaker of the house of
26 representatives, and each member of the legislature detailing all
27 highway closures during periods listed in Subsection (a) and the
28 estimated economic impact of those closures.



17 MAY 15 AM 9:13
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering the SECTIONS of the bill accordingly:

4 SECTION _____. The heading to Section 228.054, Transportation
5 Code, is amended to read as follows:

6 Sec. 228.054. TOLL PAYMENT REQUIRED [~~FAILURE OR REFUSAL TO~~
7 ~~PAY TOLL~~]; EMERGENCY VEHICLES EXEMPT [~~OFFENSE~~].

8 SECTION _____. Section 228.054(a), Transportation Code, is
9 amended to read as follows:

10 (a) Except as provided by Subsection (e) [~~or Section~~
11 ~~228.0545~~], the operator of a vehicle, other than an authorized
12 emergency vehicle, as defined by Section 541.201, that is driven or
13 towed through a toll collection facility shall pay the proper toll.
14 The exemption from payment of a toll for an authorized emergency
15 vehicle applies regardless of whether the vehicle is:

- 16 (1) responding to an emergency;
- 17 (2) displaying a flashing light; or
- 18 (3) marked as an emergency vehicle.

19 SECTION _____. The heading to Section 228.0545,
20 Transportation Code, is amended to read as follows:

21 Sec. 228.0545. TOLL NOT PAID AT TIME OF USE; INVOICE
22 [~~ALTERNATIVE TOLLING METHODS~~].

23 SECTION _____. Sections 228.0545(c) and (d), Transportation
24 Code, are amended to read as follows:

25 (c) The department shall send by first class mail to the
26 registered owner of a [the] vehicle a written invoice containing an
27 assessment for tolls incurred by the vehicle [~~notice of the total~~
28 ~~amount due. The notice must specify the date, which may not be~~
29 ~~earlier than the 30th day after the date the notice is mailed, by~~

1 ~~which the amount due must be paid. The registered owner shall pay~~
2 ~~the amount due on or before the date specified in the notice].~~

3 (d) The department shall send the invoice [~~notice~~] required
4 under Subsection (c) and related communications [~~subsequent~~
5 ~~notices~~] to:

6 (1) the registered owner's address as shown in the
7 vehicle registration records of the Texas Department of Motor
8 Vehicles or the analogous department or agency of another state or
9 country; or

10 (2) an alternate address provided by the owner or
11 derived through other reliable means.

12 SECTION ____ . Subchapter B, Chapter 228, Transportation
13 Code, is amended by adding Sections 228.0546 and 228.0547 to read as
14 follows:

15 Sec. 228.0546. INVOICE REQUIREMENTS; PAYMENT DUE DATE. An
16 invoice containing an assessment for the use of a toll project must:

17 (1) require payment not later than the 30th day after
18 the date the invoice is mailed; and

19 (2) conspicuously state:

20 (A) the amount due;

21 (B) the date by which the amount due must be paid;

22 and

23 (C) that failure to pay the amount due in the
24 required period:

25 (i) will result in the assessment of an
26 administrative fee; and

27 (ii) may result in liability for a civil
28 penalty.

29 Sec. 228.0547. PAYMENT OF TOLL INVOICE; CIVIL PENALTY FOR
30 FAILURE TO PAY AMOUNT OF INVOICE WITHIN 30 DAYS. (a) A person who
31 receives an invoice from the department for the use of a toll

1 project shall, not later than the due date specified in the invoice:

2 (1) pay the amount owed as stated in the invoice; or

3 (2) send a written request to the entity for a review

4 of the toll assessments contained in the invoice.

5 (b) If a person fails to comply with Subsection (a), the
6 department may add an administrative fee, not to exceed \$6, to the
7 amount the person owes. The department:

8 (1) must set the administrative fee by rule in an
9 amount that does not exceed the cost of collecting the toll; and

10 (2) may not charge a person more than \$48 in
11 administrative fees in a 12-month period.

12 (c) A person who receives two or more invoices for unpaid
13 tolls and who has not paid the amount due within 30 days of the date
14 of the invoice is subject to a civil penalty of \$25. Only one civil
15 penalty may be assessed in a six-month period. An appropriate
16 district or county attorney may sue to collect the civil penalty and
17 the underlying toll and administrative fee.

18 (d) The court in which a person is found liable for a civil
19 penalty under Subsection (c) shall collect the civil penalty,
20 unpaid tolls, administrative fees, and any additional court costs
21 and forward the amounts to the department.

22 SECTION _____. The heading to Section 228.055, Transportation
23 Code, is amended to read as follows:

24 Sec. 228.055. EXCEPTIONS FOR LEASED OR TRANSFERRED VEHICLE
25 [ADMINISTRATIVE FEE, NOTICE, OFFENSE].

26 SECTION _____. Sections 228.055(d), (d-1), (e), and (i),
27 Transportation Code, are amended to read as follows:

28 (d) It is an exception to liability of a vehicle's
29 registered owner for a toll incurred by the vehicle [~~the~~
30 ~~application of Subsection (a) or (c)] if the registered owner of the
31 vehicle is a lessor of the vehicle and not later than the 30th day~~

1 after the date the invoice containing an assessment of the toll
2 [~~notice of nonpayment~~] is mailed provides to the department:

3 (1) a copy of the rental, lease, or other contract
4 document covering the vehicle on the date the toll was incurred [~~of~~
5 ~~the nonpayment under Section 228.054 or the date the vehicle was~~
6 ~~driven or towed through a toll collection facility that results in a~~
7 ~~notice issued under Section 228.0545~~], with the name and address of
8 the lessee clearly legible; or

9 (2) electronic data, in a format agreed on by the
10 department and the lessor, other than a photocopy or scan of a
11 rental or lease contract, that contains the information required
12 under Sections 521.460(c)(1), (2), and (3) covering the vehicle on
13 the date the toll was incurred [~~of the nonpayment under Section~~
14 ~~228.054 or the date the vehicle was driven or towed through a toll~~
15 ~~collection facility that results in a notice issued under Section~~
16 ~~228.0545~~].

17 (d-1) If the lessor provides the required information
18 within the period prescribed under Subsection (d), the department
19 may send an invoice [~~a notice of nonpayment~~] to the lessee at the
20 address provided under Subsection (d) by first class mail before
21 the 30th day after the date of receipt of the required information
22 from the lessor. [~~The lessee of the vehicle for which the proper~~
23 ~~toll was not paid who is mailed a written notice of nonpayment under~~
24 ~~this subsection and fails to pay the proper toll and administrative~~
25 ~~fee within the time specified by the notice of nonpayment commits an~~
26 ~~offense. The lessee shall pay a separate toll and administrative~~
27 ~~fee for each event of nonpayment. Each failure to pay a toll or~~
28 ~~administrative fee under this subsection is a separate offense.]~~

29 (e) It is an exception to liability of a vehicle's
30 registered owner for a toll incurred by the vehicle [~~the~~
31 ~~application of Subsection (a) or (c)] if the registered owner of the~~

1 vehicle transferred ownership of the vehicle to another person
2 before the toll was incurred [~~event of nonpayment under Section~~
3 ~~228.054 occurred or before the date the vehicle was driven or towed~~
4 ~~through a toll collection facility that results in a notice issued~~
5 ~~under Section 228.0545~~], submitted written notice of the transfer
6 to the department in accordance with Section 501.147, and, before
7 the 30th day after the date the invoice [~~notice of nonpayment~~] is
8 mailed, provides to the department the name and address of the
9 person to whom the vehicle was transferred. If the former owner of
10 the vehicle provides the required information within the period
11 prescribed, the department may send an invoice [~~a notice of~~
12 ~~nonpayment~~] to the person to whom ownership of the vehicle was
13 transferred at the address provided by the former owner by first
14 class mail before the 30th day after the date of receipt of the
15 required information from the former owner. The department may
16 send all subsequent invoices [~~notices of nonpayment~~] associated
17 with the vehicle to the person to whom ownership of the vehicle was
18 transferred at the address provided by the former owner or an
19 alternate address provided by the subsequent owner or derived
20 through other reliable means. [~~The subsequent owner of the vehicle~~
21 ~~for which the proper toll was not paid who is mailed a written~~
22 ~~notice of nonpayment under this subsection and fails to pay the~~
23 ~~proper toll and administrative fee within the time specified by the~~
24 ~~notice of nonpayment commits an offense. The subsequent owner~~
25 ~~shall pay a separate toll and administrative fee for each event of~~
26 ~~nonpayment under Section 228.054 or 228.0545. Each failure to pay a~~
27 ~~toll or administrative fee under this subsection is a separate~~
28 ~~offense.]~~

29 (i) The department may contract, in accordance with Section
30 2107.003, Government Code, with a person to collect the unpaid toll
31 and any applicable administrative fee before referring the matter

1 to a court for collection of a civil penalty under Section 228.0547
2 [~~with jurisdiction over the offense~~].

3 SECTION ____ . Section 228.056, Transportation Code, is
4 amended to read as follows:

5 Sec. 228.056. PROOF OF LIABILITY FOR TOLL; DEFENSE FOR
6 STOLEN VEHICLE [~~PRESUMPTIONS, PRIMA FACIE EVIDENCE, DEFENSES~~]. (a)
7 Proof [~~In the prosecution of an offense under Section 228.054 or~~
8 ~~228.055, proof~~] that a [~~the~~] vehicle was driven or towed through a
9 [~~the~~] toll collection facility without payment of the proper toll
10 may be shown by a video recording, photograph, electronic
11 recording, or other appropriate evidence, including evidence
12 obtained by automated enforcement technology.

13 (b) In determining liability for an incurred toll [~~the~~
14 ~~prosecution of an offense under Section 228.055(c), (d-1), or (e)~~]:

15 (1) it is presumed that the invoice containing the
16 assessment for the toll [~~notice of nonpayment~~] was received on the
17 fifth day after the date of mailing;

18 (2) a computer record of the Texas Department of Motor
19 Vehicles of the registered owner of the vehicle is prima facie
20 evidence of its contents and that the person identified in the
21 record as the vehicle's registered owner [~~defendant~~] was the
22 registered owner of the vehicle when the toll was incurred
23 [~~underlying event of nonpayment under Section 228.054 occurred or~~
24 ~~on the date the vehicle was driven or towed through a toll~~
25 ~~collection facility that results in a notice issued under Section~~
26 ~~228.0545~~]; and

27 (3) a copy of a [~~the~~] rental, lease, or other contract
28 document, or the electronic data provided to the department under
29 Section 228.055(d), covering the vehicle on the date the toll was
30 incurred [~~of the underlying event of nonpayment under Section~~
31 ~~228.054 or on the date the vehicle was driven or towed through a~~

1 ~~toll collection facility that results in a notice issued under~~
2 ~~Section 228.0545]~~ is prima facie evidence of its contents and that
3 the person identified in the document [defendant] was the lessee of
4 the vehicle when the toll was incurred [~~underlying event of~~
5 ~~nonpayment under Section 228.054 occurred or when the vehicle was~~
6 ~~driven or towed through a toll collection facility that results in a~~
7 ~~notice issued under Section 228.0545]~~.

8 (c) It is a defense to liability of a vehicle's registered
9 owner for a toll incurred by the vehicle [~~prosecution under Section~~
10 ~~228.055(c), (d-1), or (e)] that the [motor] vehicle [in question]~~
11 was stolen before the toll was incurred [~~failure to pay the proper~~
12 ~~toll occurred]~~ and had not been recovered before the toll was
13 incurred [~~failure to pay occurred]~~, but only if the theft was
14 reported to the appropriate law enforcement authority before the
15 earlier of:

16 (1) the time the toll was incurred [~~the occurrence of~~
17 ~~the failure to pay]~~; or

18 (2) eight hours after the discovery of the theft.

19 SECTION ____ . Section 228.059, Transportation Code, is
20 amended to read as follows:

21 Sec. 228.059. TOLL COLLECTION AND ENFORCEMENT BY OTHER
22 ENTITY[~~, OFFENSE]~~. An entity operating a toll lane pursuant to
23 Section 228.007(b) has, with regard to toll collection and
24 enforcement for that toll lane, the same powers and duties as the
25 department under this chapter. [~~A person who fails to pay a toll or~~
26 ~~administrative fee imposed by the entity commits an offense. Each~~
27 ~~failure to pay a toll or administrative fee imposed by the entity is~~
28 ~~a separate offense. An offense under this section is a misdemeanor~~
29 ~~punishable by a fine not to exceed \$250, and the provisions of~~
30 ~~Section 228.056 apply to the prosecution of the offense under this~~
31 ~~section.] The entity may use revenues for improvement, extension,~~

1 expansion, or maintenance of the toll lane.

2 SECTION _____. Section 372.101, Transportation Code, is
3 amended to read as follows:

4 Sec. 372.101. APPLICABILITY. This subchapter does not
5 apply to:

- 6 (1) a county acting under Chapter 284; or
7 (2) the department.

8 SECTION _____. The following sections of the Transportation
9 Code are repealed:

- 10 (1) Sections 228.054(b) and (c); and
11 (2) Sections 228.055(a), (b), (c), (f), (g), and (h).

12 SECTION _____. The changes in law made by this Act to the law
13 regarding toll collection procedures and billing apply only to a
14 toll incurred on or after the effective date of this Act. A toll
15 incurred before the effective date of this Act is governed by the
16 law in effect on the date the toll was incurred, and the former law
17 is continued in effect for that purpose.



852004

FLOOR AMENDMENT NO. 17 MAY 15 AM 9:06 BY: Muñoz
HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION __. Subchapter B, Chapter 370, Transportation
5 Code, is amended by adding Section 370.040 to read as follows:

6 Sec. 370.040. SUNSET REVIEW. (a) An authority is subject
7 to review under Chapter 325, Government Code (Texas Sunset Act),
8 as if it were a state agency but may not be abolished under that
9 chapter. The review shall be conducted as if the authority were
10 scheduled to be abolished September 1, 2019.

11 (b) The authority shall pay the cost incurred by the
12 Sunset Advisory Commission in performing a review of the
13 authority under this section. The Sunset Advisory Commission
14 shall determine the cost, and the authority shall pay the amount
15 promptly on receipt of a statement from the Sunset Advisory
16 Commission detailing the cost.



17 MAY 15 AM 9:34

BY: Munoz

FLOOR AMENDMENT NO. _____

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Subchapter J, Chapter 201, Transportation
5 Code, is amended by adding Section 201.812 to read as follows:

6 Sec. 201.812. REPORT ON CERTAIN ENGINEERING EXPENDITURES.

7 Not later than the 30th day following the end of each calendar
8 quarter, the department shall publish on the department's
9 Internet website, for each department district, the amount of
10 expenditures paid by the department to third parties for
11 engineering services.



17 MAY 15 AM 9:06
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Munoz

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Sections 201.051(a) and (b), Transportation
5 Code, are amended to read as follows:

6 (a) The Texas Transportation Commission consists of seven
7 [~~five~~] members appointed by the governor with the advice and
8 consent of the senate.

9 (b) The members shall be appointed from [~~to reflect the~~]
10 diverse geographic regions and population groups of this state.
11 One member must reside in a rural area and be a registered voter of a
12 county with a population of less than 150,000.

13 SECTION _____. Section 201.052, Transportation Code, is
14 amended to read as follows:

15 Sec. 201.052. TERMS. Members of the commission serve
16 staggered six-year terms, with the terms of either two [~~one~~] or
17 three [~~two~~] members expiring February 1 of each odd-numbered year.

18 SECTION _____. Promptly after this Act takes effect, the
19 governor shall appoint two additional members to the Texas
20 Transportation Commission. In appointing those members, the
21 governor shall appoint one person to a term expiring February 1,
22 2021, and one person to a term expiring February 1, 2023.

23 SECTION _____. The changes in law made by this Act regarding
24 the qualifications of members of the Texas Transportation
25 Commission do not affect the entitlement of a member serving on the
26 commission immediately before the effective date of this Act to
27 continue to serve for the remainder of the member's term. As the
28 terms of commission members expire, the governor shall appoint or
29 reappoint a member who has the qualifications required for a member

1 under Section 201.051, Transportation Code, as amended by this Act.



852021

FLOOR AMENDMENT NO. _____ 17 MAY 15 AM 9:52 BY: Muñoz
HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Subchapter A, Chapter 223, Transportation
5 Code, is amended by adding Section 223.017 to read as follows:

6 Sec. 223.017. REQUIREMENTS FOR ENGINEERING FIRM. The
7 department may not enter into a contract with an entity to
8 provide engineering services unless the owner of that entity is
9 a licensed engineer.



17 MAY 15 AM 9:05

HOUSE OF REPRESENTATIVES

Victor J. Leane

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Not later than March 1, 2018, the Texas
5 Department of Transportation shall implement the recommended
6 management actions contained in Issue 4 of the Sunset Advisory
7 Commission Staff Report for the Texas Department of Transportation,
8 85th Legislature, that:

9 (1) were approved by the Sunset Advisory Commission;
10 and

11 (2) relate to increasing the department's use of
12 women-owned businesses in public works contracting.



852003

17 MAY 15 AM 9:05

HOUSE OF REPRESENTATIVES

Victor J. Beane

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter J, Chapter 201, Transportation
5 Code, is amended by adding Section 201.8065 to read as follows:

6 Sec. 201.8065. ON-THE-JOB FATALITY REPORT. (a) Not later
7 than April 1 of each year, the department shall submit to the
8 governor, the lieutenant governor, and the speaker of the house of
9 representatives a report that summarizes, for the preceding
10 calendar year, the number of on-the-job fatalities involving an
11 employee of the department or a person under contract with the
12 department that occurred in the course of the employee's work on a
13 highway construction or maintenance project.

14 (b) The department shall publish on the department's
15 Internet website each report submitted under Subsection (a).



851998

1 FLOOR AMENDMENT NO. _____ 17 MAY 15 AM 9:08 BY: Phelan

2 Amend C.S.S.B. 312 (house committee report) by adding the
3 following appropriately numbered SECTION to the bill and
4 renumbering subsequent SECTIONS and cross-references of the bill
5 accordingly:

6 SECTION ____ Chapter 371, Transportation Code, is amended
7 by adding Section 371.004 to read as follows:

8 Sec. 371.004. COMPREHENSIVE DEVELOPMENT AGREEMENTS PURSUANT
9 TO FEDERAL PROGRAM. (a) Notwithstanding Sections 223.201(f),
10 223.2011(f), and 370.305(c), a toll project entity may enter
11 into a comprehensive development agreement only for projects
12 that:

13 (1) receive funding, tax credits, or other support
14 made available by or through programs administered by the United
15 States Department of Transportation or another federal agency
16 which are specifically intended to promote infrastructure
17 development in the United States and which are contingent on
18 using public-private partnerships in order to receive such
19 funding, tax credits, or other support; and

20 (2) are approved to be developed through a
21 comprehensive development agreement in a plan voted on by the
22 applicable metropolitan planning organization.

23 (b) The department may not enter into more than three
24 comprehensive development agreements under this section in each
25 fiscal year.

26 (c) A local toll project entity under Section 373.001(1)
27 may not enter into more than two comprehensive development
28 agreements under this section in each fiscal year.

29 (d) Any state funds advanced for projects developed under
30 this section must be repaid from the toll project entity's share
31 of project revenues received pursuant to the comprehensive

1 development agreement and shall be subject to Section 228.0055.

2 (e) Not later than December 1 of each year, a toll project
3 entity shall provide a report to the commission on the status of
4 any project being developed through a comprehensive development
5 agreement under this section.



17 MAY 12 AM 10: 23
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Pickett

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Section 222.103(a), Transportation Code,
5 is amended to read as follows:

6 (a) The department may participate, by spending money from
7 any available source, in the cost of the acquisition, construction,
8 maintenance, or operation of a toll facility of a public or private
9 entity on terms and conditions established by the commission. The
10 commission[+]

11 ~~[(1) may require the repayment of any money spent by~~
12 ~~the department for the cost of a toll facility of a public entity,~~
13 ~~and~~

14 ~~[(2)] shall require the repayment of any money spent~~
15 ~~[by the department for the cost of a toll facility of a private~~
16 ~~entity].~~

17 (b) Section 366.301(c), Transportation Code, is amended to
18 read as follows:

19 (c) An obligation or expense incurred by the commission or
20 department under this section is a part of the cost of the turnpike
21 project for which the obligation or expense was incurred. The
22 commission or department shall ~~may~~ require money contributed by
23 the commission or department under this section to be repaid. The
24 commission or department may require the money to be repaid from
25 tolls or other revenue of the turnpike project or system on which
26 the money was spent. Money repaid as required by the commission or
27 department shall be deposited to the credit of the fund from which
28 the contribution was made. Money deposited as required by this
29 section is exempt from the application of Section 403.095,

1 Government Code.

2 (c) Section 370.033(m), Transportation Code, is amended to
3 read as follows:

4 (m) If an authority receives money from the general revenue
5 fund, the Texas Mobility Fund, or the state highway fund, it:

6 (1) may use the money only to acquire, design,
7 finance, construct, operate, or maintain a turnpike project under
8 Section 370.003(14)(A) or (D) or a transit system under Section
9 370.351; and

10 (2) must repay the money.

11 (d) Sections 370.301(c) and (f), Transportation Code, are
12 amended to read as follows:

13 (c) An obligation or expense incurred by the commission or
14 department under this section is a part of the cost of the turnpike
15 project for which the obligation or expense was incurred. The
16 commission or department shall [~~may~~] require money contributed by
17 the commission or department under this section to be repaid. The
18 commission or department may require the money to be repaid from
19 tolls or other revenue of the turnpike project on which the money
20 was spent. Money repaid as required by the commission or department
21 shall be deposited to the credit of the fund from which the
22 contribution was made. Money deposited as required by this section
23 is exempt from the application of Section 403.095, Government Code.

24 (f) The commission may [~~grant or~~] loan department money to
25 an authority for the acquisition of land for or the construction,
26 maintenance, or operation of a turnpike project. The commission
27 shall [~~may~~] require the authority to repay money loaned [~~provided~~]
28 under this section. The commission may require the money to be
29 repaid from toll revenue or other sources on terms established by
30 the commission.

31 (e) Subchapter A, Chapter 372, Transportation Code, is

1 amended by adding Section 372.002 to read as follows:

2 Sec. 372.002. REPAYMENT OF MONEY CONTRIBUTED BY DEPARTMENT.

3 A toll project entity shall repay to the department any money
4 contributed by the department as participation in the cost of the
5 entity's toll projects, including money from the state highway
6 fund, the Texas Mobility Fund, or other sources available to the
7 department.

8 (f) The changes in law made by this section apply only to a
9 loan, grant, or other contribution made by the Texas Department of
10 Transportation or the Texas Transportation Commission on or after
11 the effective date of this Act. A loan, grant, or other
12 contribution made before the effective date of this Act is governed
13 by the law in effect on the date the loan, grant, or other
14 contribution is made, and the former law is continued in effect for
15 that purpose.



17 MAY 12 AM ID: 23

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Pickett

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION __. Subchapter A, Chapter 372, Transportation Code,
5 is amended by adding Section 372.002 to read as follows:

6 Sec. 372.002. METHOD OF FINANCING: ANALYSIS AND
7 DETERMINATION. (a) For each toll project proposed by a toll
8 project entity, including a project that includes restricted lanes,
9 as defined by Section 224.151, the entity shall:

10 (1) perform an analysis of the feasibility of
11 financing the project as a stand-alone project before the entity
12 adds the project to an existing system or creates a new system for
13 the project; and

14 (2) provide a copy of the completed analysis performed
15 under this subsection to local elected officials representing the
16 political subdivisions in which the toll project is proposed to be
17 located.

18 (b) A toll project entity shall adopt procedures for:

19 (1) performing analyses described by Subsection (a);
20 and

21 (2) determining whether to add a toll project to an
22 existing system or create a new system for the project.

23 (c) Procedures shall be adopted under Subsection (b):

24 (1) by rule for an entity that has rulemaking
25 authority; or

26 (2) by official action of the entity's governing body
27 for an entity that does not have rulemaking authority.

28 (d) Procedures adopted under Subsection (b)(2) must require
29 the toll project entity to coordinate with local elected officials

1 representing the political subdivisions in which the toll project
2 is proposed to be located in determining whether to add a toll
3 project to an existing system or create a new system for the
4 project.



17 MAY 12 AM 10:23

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Pickett

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Chapter 622, Transportation Code, is amended
5 by adding Subchapter K to read as follows:

6 SUBCHAPTER K. AUTOMOBILE TRANSPORTERS

7 Sec. 622.151. DEFINITIONS. In this subchapter:

8 (1) "Automobile transporter" means any vehicle
9 combination designed and used for the transport of assembled motor
10 vehicles, including a truck-tractor as defined by Section
11 621.001(8)(A).

12 (2) "Backhaul" means the return trip of a vehicle
13 transporting cargo or general freight.

14 (3) "Stinger-steered" means a truck-tractor and
15 semitrailer combination in which the fifth wheel is located on a
16 drop frame located behind and below the rearmost axle of the
17 truck-tractor.

18 Sec. 622.152. AUTOMOBILE TRANSPORTER BACKHAULS. (a) An
19 automobile transporter that complies with the weight and size
20 limitations for a truck-tractor and semitrailer combination under
21 this subtitle may transport cargo or general freight on a backhaul.

22 (b) For purposes of Subsection (a), an automobile
23 transporter is presumed to be on a backhaul if the automobile
24 transporter is transporting cargo or general freight back over all
25 or part of the same route.

26 Sec. 622.153. MAXIMUM EXTENDED LENGTH OF LOAD.
27 Notwithstanding Section 621.206, an automobile transporter that is
28 stinger-steered may carry a load that extends not more than:

29 (1) four feet beyond its front; and

1 (2) six feet beyond its rear.

2 SECTION ____ . Section 622.902, Transportation Code, is
3 amended to read as follows:

4 Sec. 622.902. LENGTH EXCEPTIONS. The length limitations
5 provided by Sections 621.203 to 621.205 do not apply to:

6 (1) machinery used exclusively for drilling water
7 wells, including machinery that is itself a unit or that is a unit
8 mounted on a conventional vehicle or chassis;

9 (2) a vehicle owned or operated by a public, private,
10 or volunteer fire department;

11 (3) a vehicle or combination of vehicles operated
12 exclusively in the territory of a municipality or to a combination
13 of vehicles operated by a municipality in a suburb adjoining the
14 municipality in which the municipality has been using the equipment
15 or similar equipment in connection with an established service to
16 the suburb;

17 (4) a truck-tractor, truck-tractor combination, or
18 truck-trailer combination exclusively transporting machinery,
19 materials, and equipment used in the construction, operation, and
20 maintenance of facilities, including pipelines, that are used for
21 the discovery, production, and processing of natural gas or
22 petroleum;

23 (5) a drive-away saddlemount vehicle transporter
24 combination or a drive-away saddlemount with fullmount vehicle
25 transporter combination, as defined by 23 C.F.R. Part 658 or its
26 successor, if:

27 (A) the overall length of the combination is not
28 longer than 97 feet; and

29 (B) the combination does not have more than three
30 saddlemounted vehicles if the combination does not include more
31 than one fullmount vehicle;

1 (6) the combination of a tow truck and another vehicle
2 or vehicle combination if:

3 (A) the other vehicle or vehicle combination
4 cannot be normally or safely driven or was abandoned on a highway;
5 and

6 (B) the tow truck is towing the other vehicle or
7 vehicle combination directly to the nearest authorized place of
8 repair, terminal, or destination of unloading;

9 (7) a vehicle or combination of vehicles used to
10 transport a harvest machine that is used in farm custom harvesting
11 operations on a farm if the overall length of the vehicle or
12 combination is not longer than:

13 (A) 75 feet if the vehicle is traveling on a
14 highway that is part of the national system of interstate and
15 defense highways or the federal aid primary highway system; or

16 (B) 81-1/2 feet if the vehicle is not traveling
17 on a highway that is part of the national system of interstate and
18 defense highways or the federal aid primary highway system; [~~or~~]

19 (8) a truck-tractor operated in combination with a
20 semitrailer and trailer or semitrailer and semitrailer if:

21 (A) the combination is used to transport a
22 harvest machine that is used in farm custom harvesting operations
23 on a farm;

24 (B) the overall length of the combination,
25 excluding the length of the truck-tractor, is not longer than
26 81-1/2 feet; and

27 (C) the combination is traveling on a highway
28 that:

29 (i) is not part of the national system of
30 interstate and defense highways or the federal aid primary highway
31 system; and

1 (ii) is located in a county with a
2 population of less than 300,000; or

3 (9) a towaway trailer transporter combination, as
4 defined by 49 U.S.C. Section 31111, if the overall length of the
5 combination is not longer than 82 feet.

6 SECTION ____ . Section 622.952, Transportation Code, is
7 amended to read as follows:

8 Sec. 622.952. EMERGENCY [~~FIRE DEPARTMENT~~] VEHICLE. (a)
9 The weight limitations of Section 621.101 do not apply to an
10 emergency [~~a~~] vehicle [~~owned or operated by a public, private, or~~
11 ~~volunteer fire department~~].

12 (b) The weight of an emergency [~~a fire department's~~] vehicle
13 may not exceed the greater of:

14 (1) [~~be heavier than~~] the manufacturer's gross vehicle
15 weight capacity or axle design rating; or

16 (2) including all enforcement tolerances, a:

17 (A) gross weight of 86,000 pounds;

18 (B) single steering axle weight of 24,000 pounds;

19 (C) single drive axle weight of 33,500 pounds;

20 (D) tandem axle weight of 62,000 pounds; or

21 (E) tandem rear drive steer axle weight of 52,000
22 pounds.

23 (c) In this section, "emergency vehicle" means a vehicle
24 designed to be used under emergency conditions:

25 (1) to transport personnel and equipment; and

26 (2) to support the suppression of fires and mitigation
27 of other hazardous situations.

28 SECTION ____ . Section 622.955(c), Transportation Code, is
29 amended to read as follows:

30 (c) The weight increase under Subsection (b) may not be
31 greater than 500 [~~400~~] pounds.

1 SECTION ____ . Sections 623.071(a), (c), and (c-1),
2 Transportation Code, are amended to read as follows:

3 (a) The department may issue a permit to allow the operation
4 on [~~a person to operate over~~] a state highway of [~~superheavy or~~
5 ~~oversize~~] equipment that exceeds the weight and size limits
6 provided by law for the movement of equipment [+

7 [~~(1) is used to transport cylindrically shaped bales of~~
8 ~~hay~~] or a commodity that cannot reasonably be dismantled[~~, and~~

9 [~~(2) has a gross weight or size that exceeds the limits~~
10 ~~allowed by law to be transported over a state highway~~].

11 (c) The department may issue an annual permit to allow the
12 operation on a state highway of equipment that exceeds weight and
13 size limits provided by law for the movement of:

14 (1) an implement of husbandry by a dealer;

15 (2) water well drilling machinery and equipment or
16 harvesting equipment being moved as part of an agricultural
17 operation; or

18 (3) [~~superheavy or oversize~~] equipment or a commodity
19 that:

20 (A) cannot reasonably be dismantled; and

21 (B) does not exceed:

22 (i) 12 feet in width;

23 (ii) 14 feet in height;

24 (iii) 110 feet in length; or

25 (iv) 120,000 pounds gross weight.

26 (c-1) The department may issue an annual permit that allows
27 a person to operate over a state highway or road a vehicle or
28 combination of vehicles transporting a load that cannot reasonably
29 be dismantled that exceeds the length and height limits provided by
30 law, except that:

31 (1) the maximum length allowed may not exceed 110

1 feet; and

2 (2) the maximum height allowed may not exceed 14 feet.

3 SECTION _____. The change in law made by this Act applies only
4 to an offense committed on or after the effective date of this Act.
5 An offense committed before the effective date of this Act is
6 governed by the law in effect on the date the offense was committed,
7 and the former law is continued in effect for that purpose. For
8 purposes of this section, an offense was committed before the
9 effective date of this Act if any element of the offense occurred
10 before that date.



17 MAY 12 AM 10:23

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Pickett

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 203.0935, Transportation Code, is
5 amended by amending Subsection (e) and adding Subsection (e-1) to
6 read as follows:

7 (e) If the utility fails to enter into an agreement within
8 the 90-day period under Subsection (d), the department may:

9 (1) relocate the facility at the sole cost and expense
10 of the utility less any reimbursement of costs that would have been
11 payable to the utility under Section 203.092; or

12 (2) contract with a third party to relocate the
13 facility at the sole cost and expense of the utility.

14 (e-1) A relocation [~~by the department~~] under Subsection (e)
15 [~~this subsection~~] shall be conducted in full compliance with
16 applicable law, using standard equipment and construction
17 practices compatible with the utility's existing facilities, and in
18 a manner that minimizes disruption of utility service.

19 SECTION _____. Section 203.094, Transportation Code, is
20 amended by adding Subsection (d) to read as follows:

21 (d) The department may deny a permit application made by a
22 utility or revoke a permit granted by the department to a utility
23 for any of the utility's facilities if the department determines
24 that the utility is delaying, without good cause:

25 (1) entering into a timely agreement with the
26 department for the relocation of a facility; or

27 (2) making a timely relocation of a facility.

28 SECTION _____. Section 203.094(d), Transportation Code, as
29 added by this Act, applies only to a delay associated with the

1 relocation of a facility for which the utility first receives
2 notice of the required relocation on or after the effective date of
3 this Act.



851993

FLOOR AMENDMENT NO. _____

17 MAY 15 AM 9:06

BY:

Pickett

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter J, Chapter 201, Transportation
5 Code, is amended by adding Section 201.812 to read as follows:

6 Sec. 201.812. STATUS REPORT ON HIGHWAY CONSTRUCTION
7 PROJECTS. (a) The department shall semiannually publish on the
8 department's Internet website a status report on all highway
9 construction projects, listed by department district, that have
10 been completed.

11 (b) The status report required by Subsection (a) must, for
12 each project listed in the report:

13 (1) specify whether the project is:
14 (A) on schedule, ahead of schedule, or behind
15 schedule; and

16 (B) on budget, under budget, or over budget; and
17 (2) include any pending change orders.



FLOOR AMENDMENT NO. _____ 17 MAY 15 AM 9:06

BY: Pickett

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 228.201, Transportation Code, is
5 amended by adding Subsection (c) to read as follows:

6 (c) In determining the number of nontolled lanes required
7 to comply with Subsection (a)(3), the department:

8 (1) may consider only a general-purpose lane that is
9 part of the highway; and

10 (2) may not consider a lane of a frontage road to be
11 a nontolled lane before or after reconstruction of the highway.

12 SECTION 2. Section 228.201(c), Transportation Code, as
13 added by this Act, applies only to a highway reconstruction in
14 accordance with Section 228.201(a)(3), Transportation Code, that
15 is begun on or after the effective date of this Act. A
16 reconstruction begun before the effective date of this Act is
17 governed by the law in effect when the reconstruction began, and
18 the former law is continued in effect for that purpose.

19 SECTION 3. This Act takes effect September 1, 2017.



851996

FLOOR AMENDMENT NO. _____

17 MAY 15 AM 9:06

BY:

Pickett

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by deleting
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ . Section 228.201, Transportation Code, is
5 amended to read as follows:

6 Sec. 228.201. LIMITATION ON TOLL FACILITY DESIGNATION.

7 ~~[(a)]~~ The department may not operate a nontolled state highway
8 or a segment of a nontolled state highway as a toll project, and
9 may not transfer a highway or segment to another entity for
10 operation as a toll project, unless:

11 (1) the commission by order designated the highway or
12 segment as a toll project before the contract to construct the
13 highway or segment was awarded;

14 (2) the project was designated as a toll project in a
15 plan or program of a metropolitan planning organization on or
16 before September 1, 2005;

17 (3) the highway or segment is reconstructed so that
18 the number of nontolled lanes on the highway or segment is
19 greater than or equal to the number in existence before the
20 reconstruction; or

21 (4) a facility is constructed adjacent to the highway
22 or segment so that the number of nontolled lanes on the
23 converted highway or segment and the adjacent facility together
24 is greater than or equal to the number in existence on the
25 converted highway or segment before the conversion~~[, or~~

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

29 ~~[(b) The department may operate or transfer a high-~~

1 ~~occupancy vehicle lane under Subsection (a)(5) as a tolled lane~~
2 ~~only if the department or other entity operating the lane allows~~
3 ~~vehicles occupied by a specified number of passengers to use the~~
4 ~~lane without paying a toll.]~~

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



FLOOR AMENDMENT NO. _____

17 MAY 15 AM 9:33

BY: Rekett

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION __. Chapter 228, Transportation Code, is amended by
5 adding Section 228.207 to read as follows:

6 (a) Should the Camino Real Regional Mobility Authority vote
7 to remove the portion of Loop 375 in El Paso County between
8 Interstate Highway 10 and Santa Fe Street as a toll project,
9 also known as Cesar Chavez Freeway,

10 (b) Any outstanding balances of funds owed to the
11 Department for Cesar Chavez Freeway shall be transferred and
12 added to the obligation on the Loop 375 Border Highway West
13 Project in El Paso County from Race Track Drive to U.S. Highway
14 54, or any other terms agreeable to the Department.

15 (c) The Department shall maintain the highway described by
16 Subsection (a) as part of the state highway system without
17 tolls.

18 SECTION 2. This Act takes effect September 1, 2017.



FLOOR AMENDMENT NO. 17 MAY 15 AM 9:42

BY: Raymond

HOUSE OF REPRESENTATIVES

1 Amend **SB 312** (house committee report) by adding the following
2 appropriately numbered SECTION to the bill and renumbering
3 subsequent SECTIONS of the bill accordingly:

4 SECTION ____ . Subchapter B, Chapter 391, Transportation
5 Code, is amended by adding Section 391.038 to read as follows:

6 Sec. 391.038. SPACING REQUIREMENTS IN CERTAIN
7 MUNICIPALITIES. (a) In this section, "electronic sign" means a
8 sign that changes its message or copy by programmable electronic
9 or mechanical processes.

10 (b) The department, in regulating outdoor advertising
11 located in the corporate boundaries of a municipality with a
12 population of more than 200,000 located in a county on the
13 Texas-Mexico border with a population of less than 300,000, may
14 not require an electronic sign owned by the municipality to be
15 more than 500 feet from another sign.



852018

FLOOR AMENDMENT NO. _____

17 MAY 15 AM 9:43 BY:

Raymond

HOUSE OF REPRESENTATIVES

1 Amend **SB 312** (house committee report) by adding the following
2 appropriately numbered SECTIONS to the bill and renumbering
3 subsequent SECTIONS of the bill accordingly:

4 SECTION _____. The heading to Subchapter E, Chapter 228,
5 Transportation Code, is amended to read as follows:

6 SUBCHAPTER E. LIMITATION ON TOLL FACILITY DESIGNATION
7 ~~DETERMINATION~~; CONVERSION OF NONTOLLED STATE HIGHWAY

8 SECTION _____. Section 228.201, Transportation Code, is amended
9 by adding Subsection (c) to read as follows:

10 (c) The department may not operate any part of State Highway
11 255 in Webb County as a toll project.



17 MAY 15 AM 9:04
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Rinaldi

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter B, Chapter 223, Transportation
5 Code, is amended by adding Section 223.051 to read as follows:

6 Sec. 223.051. VERIFICATION BY CONTRACTORS. (a) In this
7 section, "E-verify program" has the meaning assigned by Section
8 673.001, Government Code.

9 (b) The department may not award a contract for the
10 construction, maintenance, or improvement of a highway in this
11 state to a contractor unless the contractor and any subcontractor
12 register with and participate in the E-verify program to verify
13 employee information. The contractor and any subcontractor must
14 continue to participate in the program during the term of the
15 contract.

16 (c) Each contract with the department must include the
17 following statement:

18 "_____ (name of contractor) certifies that
19 _____ (name of contractor) is not ineligible to receive this
20 contract under Section 223.051, Transportation Code, and
21 acknowledges that if this certification is inaccurate or becomes
22 inaccurate during the term of the contract, the contractor may be
23 barred from participating in contracts with the Texas Department of
24 Transportation."

25 (d) If the department determines that a contractor was
26 ineligible to have the contract awarded under Subsection (b), that
27 a contractor has ceased participation in the E-verify program
28 during the term of the contract, or that a subcontractor is not
29 registered with or is not participating in the E-verify program,

1 the department shall refer the matter to the comptroller for
2 action.

3 (e) The department shall develop procedures for the
4 administration of this section.

5 (f) Using procedures prescribed under Section 2155.077,
6 Government Code, the comptroller shall bar a contractor from
7 participating in contracts with the department if the department
8 determines that the contractor:

9 (1) was awarded a contract in violation of this
10 section;

11 (2) has ceased participation in the E-verify program
12 during the term of the contract; or

13 (3) hired a subcontractor to perform work under the
14 contract who is not registered with or is not participating in the
15 E-verify program.

16 (g) Debarment under this section is for a period of up to
17 five years.

18 (h) A contractor who registers with and participates in the
19 E-verify program as provided by Subsection (b) may not be barred
20 under this section if, as a result of receiving inaccurate
21 verification information from the E-verify program, the contractor
22 hires or employs a person in violation of 8 U.S.C. Section 1324a.

23 (i) It is an affirmative defense to a civil action for
24 damages or the imposition of a civil penalty for an employer's
25 refusal to hire or employ a person based on the employer's
26 participation in the E-verify program as required by this section
27 that the employer participated in the E-verify program in
28 accordance with the rules and guidelines of the program and
29 received inaccurate information.

30 (j) Nothing in this section may be construed to allow
31 intentional discrimination of any class protected by law.

1 SECTION _____. The Texas Department of Transportation shall
2 develop the procedures required under Section 223.051,
3 Transportation Code, as added by this Act, not later than October 1,
4 2017.

5 SECTION _____. Section 223.051, Transportation Code, as
6 added by this Act, applies only in relation to a contract for which
7 the request for bids or proposals or other applicable expression of
8 interest is made public on or after the effective date of this Act.



17 MAY 15 AM 9:03
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Rinaldi

1 Amend C.S.S.B. No. 312 (house committee report) as follows:

2 (1) Strike SECTION 30 of the bill (page 20, line 27, through
3 page 21, line 4).

4 (2) On page 35, line 16, between "SECTION 51." and "The",
5 insert "(a)".

6 (3) On page 35, line 17, between "Sections" and "2205.003,"
7 insert "29.003(g),".

8 (4) On page 35, line 20, between "201.404(b-2)," and
9 "550.061", insert "542.405, 542.406, 544.012,".

10 (5) On page 35, between lines 21 and 22, insert the
11 following:

12 (b) Chapter 707, Transportation Code, is repealed.

13 (6) Add the following appropriately numbered SECTIONS to
14 the bill:

15 SECTION _____. Section 542.2035, Transportation Code, is
16 amended to read as follows:

17 Sec. 542.2035. AUTOMATED TRAFFIC CONTROL SYSTEMS
18 PROHIBITED [LIMITATION ON MUNICIPALITIES]. (a) A local authority
19 [municipality] may not implement or operate an automated traffic
20 control system with respect to a highway or street under its
21 jurisdiction [~~for the purpose of enforcing compliance with posted~~
22 ~~speed limits~~]. The attorney general shall enforce this subsection.

23 (b) In this section, "automated traffic control system"
24 means a system consisting of a photographic device, radar device,
25 laser device, or other electrical or mechanical device that
26 [designed to]:

27 (1) is capable of producing one or more recorded
28 photographic or digital images depicting the license plate attached
29 to the front or rear of a motor vehicle that is not operated in

1 compliance with a posted speed limit or the instructions of a
2 traffic-control signal; and

3 (2) is used by the local authority to enforce
4 compliance with a posted speed limit or the instructions of a
5 traffic-control signal by imposition of a civil or administrative
6 penalty against the owner or operator of the motor vehicle [~~record~~
7 ~~the speed of a motor vehicle, and~~

8 [~~(2) obtain one or more photographs or other recorded~~
9 ~~images of:~~

10 [~~(A) the vehicle,~~

11 [~~(B) the license plate attached to the vehicle,~~

12 ~~or~~

13 [~~(C) the operator of the vehicle].~~

14 SECTION ____ . Section 27.031(a), Government Code, is amended
15 to read as follows:

16 (a) In addition to the jurisdiction and powers provided by
17 the constitution and other law, the justice court has original
18 jurisdiction of:

19 (1) civil matters in which exclusive jurisdiction is
20 not in the district or county court and in which the amount in
21 controversy is not more than \$10,000, exclusive of interest;

22 (2) cases of forcible entry and detainer; and

23 (3) foreclosure of mortgages and enforcement of liens
24 on personal property in cases in which the amount in controversy is
25 otherwise within the justice court's jurisdiction[~~, and~~

26 [~~(4) cases arising under Chapter 707, Transportation~~
27 ~~Code, outside a municipality's territorial limits].~~

28 SECTION ____ . Section 780.003(b), Health and Safety Code, is
29 amended to read as follows:

30 (b) The account is composed of money deposited to the credit
31 of the account under [~~Sections 542.406 and 707.008, Transportation~~

1 ~~Code, and under~~] Section 780.002 [~~of this code~~].

2 SECTION _____. Section 133.004, Local Government Code, as
3 amended by Chapters 718 (H.B. 2359), 1027 (H.B. 1623), and 1149
4 (S.B. 1119), Acts of the 80th Legislature, Regular Session, 2007,
5 is reenacted and amended to read as follows:

6 Sec. 133.004. CIVIL FEES. This chapter applies to the
7 following civil fees:

8 (1) the consolidated fee on filing in district court
9 imposed under Section 133.151;

10 (2) the filing fee in district court for basic civil
11 legal services for indigents imposed under Section 133.152;

12 (3) the filing fee in courts other than district court
13 for basic civil legal services for indigents imposed under Section
14 133.153;

15 (4) the filing fees for the judicial fund imposed in
16 certain statutory county courts under Section 51.702, Government
17 Code;

18 (5) the filing fees for the judicial fund imposed in
19 certain county courts under Section 51.703, Government Code;

20 (6) the filing fees for the judicial fund imposed in
21 ~~[certain]~~ statutory probate courts under Section 51.704,
22 Government Code;

23 (7) fees collected under Section 118.015;

24 (8) marriage license fees for the family trust fund
25 collected under Section 118.018;

26 (9) marriage license or declaration of informal
27 marriage fees for the child abuse and neglect prevention trust fund
28 account collected under Section 118.022; and

29 (10) the filing fee for the judicial fund imposed in
30 district court, statutory county court, and county court under
31 Section 133.154[, ~~and~~

1 ~~[(11) the portion of the civil or administrative~~
2 ~~penalty described by Section 542.406(c)(1), Transportation Code,~~
3 ~~imposed by a local authority to enforce compliance with the~~
4 ~~instructions of a traffic-control signal,~~

5 ~~[(11) the portion of the civil or administrative~~
6 ~~penalty described by Section 707.008(a)(1), Transportation Code,~~
7 ~~imposed by a local authority to enforce compliance with the~~
8 ~~instructions of a traffic-control signal].~~

9 SECTION _____. (a) The repeal by this Act of Sections 542.405
10 and 542.406 and Chapter 707, Transportation Code, does not affect
11 the validity of a proceeding initiated or a civil penalty imposed
12 under those provisions before the effective date of this Act. A
13 proceeding initiated or a civil penalty imposed under those
14 provisions before the effective date of this Act is governed by the
15 applicable law in effect before the effective date of this Act, and
16 the former law is continued in effect for that purpose.

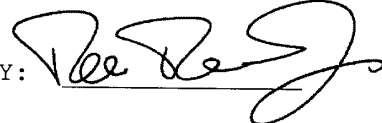
17 (b) Notwithstanding the repeal by this Act of Sections
18 542.405 and 542.406 and Chapter 707, Transportation Code, if before
19 June 1, 2017, a local authority had enacted an ordinance under those
20 provisions to implement a photographic traffic signal enforcement
21 system and entered into a contract for the administration and
22 enforcement of the system, the local authority may continue to
23 operate the system under that ordinance and under the terms of that
24 contract until the expiration date specified in the contract as the
25 contract existed on June 1, 2017.

26 (7) Renumber the SECTIONS of the bill accordingly.



FLOOR AMENDMENT NO. _____

17 MAY 15 AM 9:53
HOUSE OF REPRESENTATIVES

BY: 

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION __. Subchapter B, Chapter 223, Transportation Code,
5 is amended by adding Section 223.051 to read as follows:

6 Sec. 223.051. PREVAILING WAGE RATES TO BE PAID BY
7 CONTRACTOR AND SUBCONTRACTOR. (a) The contractor who is awarded
8 a contract for a public work subject to Chapter 2258, Government
9 Code, by the department or a subcontractor of the contractor may
10 not improperly classify a worker employed by it in the execution
11 of the contract as an independent contractor in order to avoid
12 paying the worker under Section 2258.023(a), Government Code.

13 (b) The department shall audit each public work contract to
14 which this section is applicable to ensure compliance with this
15 section and Chapter 2258, Government Code:

- 16 (1) throughout the term of the contract; and
- 17 (2) not later than the 30th day before the date the
18 work is scheduled to be completed on the contract.

19 SECTION __. Section 223.051, Transportation Code, as added
20 by this Act applies only to a public work contract entered into
21 on or after the effective date of this Act. A public work
22 contract entered into before the effective date of this Act is
23 governed by the law in effect on the date the contract was
24 entered into, and the former law is continued in effect for that
25 purpose.



851983

17 MAY 15 AM 9:01
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Sections 228.012(a) and (b), Transportation
5 Code, are amended to read as follows:

6 (a) The department shall create a separate account in the
7 state highway fund to hold payments received by the department
8 under a comprehensive development agreement [~~and the surplus~~
9 ~~revenue of a toll project or system~~]. The department shall create
10 subaccounts in the account for each project, system, or
11 region. Interest earned on money in a subaccount shall be
12 deposited to the credit of that subaccount.

13 (b) The department shall hold money in a subaccount in trust
14 for the benefit of the region in which a project or system is
15 located and may assign the responsibility for allocating money in a
16 subaccount to a metropolitan planning organization in which the
17 region is located for projects approved by the department. At the
18 time the project is approved by the department money shall be
19 allocated and distributed to projects authorized by Section
20 228.0055 [~~or Section 228.006, as applicable~~].

21 SECTION _____. Section 228.053(f), Transportation Code, is
22 amended to read as follows:

23 (f) The revenue and disbursements for each toll project or
24 system shall be kept separately. The revenue from one project may
25 not be used to pay the cost of another project except as authorized
26 by Section [~~Sections~~] 228.0055 [~~and 228.006~~].

27 SECTION _____. Section 228.104(a), Transportation Code, is
28 amended to read as follows:

29 (a) The principal of, interest on, and any redemption

1 premium on bonds issued by the commission under this subchapter are
2 payable solely from:

3 (1) the revenue of the toll project or system for which
4 the bonds are issued, including tolls pledged to pay the bonds;

5 (2) the proceeds of bonds issued for the project or
6 system;

7 (3) the amounts deposited in a debt service reserve
8 fund as required by the trust agreement securing bonds issued for
9 the project or system;

10 (4) amounts received under a credit agreement relating
11 to the project or system for which the bonds are issued; and

12 (5) [~~surplus revenue of another project or system as~~
13 ~~authorized by Section 228.006, and~~

14 [(6)] amounts received by the department:

15 (A) as pass-through tolls under Section 222.104;

16 (B) under an agreement with a local governmental
17 entity entered into under Section 228.254;

18 (C) under other agreements with a local
19 governmental entity relating to the project or system for which the
20 bonds are issued; and

21 (D) under a comprehensive development agreement
22 entered into under Section 223.201.

23 SECTION _____. Section 228.105, Transportation Code, is
24 amended to read as follows:

25 Sec. 228.105. SOURCES OF PAYMENT OF AND SECURITY FOR TOLL
26 REVENUE BONDS. Notwithstanding any other provisions of this
27 subchapter, toll revenue bonds issued by the commission may:

28 (1) be payable from and secured by:

29 (A) payments made under an agreement with a local
30 governmental entity as provided by Section 228.254;

31 (B) the proceeds of bonds issued for the toll

1 project or system; or

2 (C) amounts deposited in a debt service reserve
3 fund as required by the trust agreement securing bonds issued for
4 the project or system; ~~or~~

5 ~~[(D) surplus revenue of another toll project or~~
6 ~~system as authorized by Section 228.006,] and~~

7 (2) state on their faces any pledge of revenue or taxes
8 and any security for the bonds under the agreement.

9 SECTION _____. Section 366.113(a), Transportation Code, is
10 amended to read as follows:

11 (a) The principal of, interest on, and any redemption
12 premium on bonds issued by an authority are payable solely from:

13 (1) the revenue of the turnpike project or system for
14 which the bonds are issued, including tolls pledged to pay the
15 bonds;

16 (2) payments made under an agreement with the
17 commission or a local governmental entity as provided by Subchapter
18 G;

19 (3) money derived from any other source available to
20 the authority, other than money derived from a turnpike project
21 that is not part of the same system or money derived from a
22 different system~~[, except to the extent that the surplus revenue of~~
23 ~~a turnpike project or system has been pledged for that purpose];~~
24 and

25 (4) amounts received under a credit agreement relating
26 to the turnpike project or system for which the bonds are issued.

27 SECTION _____. Section 370.113(a), Transportation Code, is
28 amended to read as follows:

29 (a) The principal of, interest on, and any redemption
30 premium on bonds issued by an authority are payable solely from:

31 (1) the revenue of the transportation project for

1 which the bonds are issued;

2 (2) payments made under an agreement with the
3 commission, the department, or other governmental entity as
4 authorized by this chapter;

5 (3) money derived from any other source available to
6 the authority, other than money derived from a transportation
7 project that is not part of the same system or money derived from a
8 different system, except to the extent that the surplus revenue of a
9 transportation project or system, other than a turnpike project,
10 has been pledged for that purpose;

11 (4) amounts received under a credit agreement relating
12 to the transportation project for which the bonds are issued; and

13 (5) the proceeds of the sale of other bonds.

14 SECTION _____. Subchapter B, Chapter 372, Transportation
15 Code, is amended by adding Section 372.054 to read as follows:

16 Sec. 372.054. CESSATION OF TOLLS. (a) A toll project
17 becomes a part of the state highway system and the commission shall
18 maintain the project without tolls when the costs of acquisition
19 and construction of the project have been paid and:

20 (1) all of the bonds and interest on the bonds that are
21 payable from or secured by revenues of the project have been paid by
22 the issuer of the bonds or another person with the consent or
23 approval of the issuer; or

24 (2) a sufficient amount for the payment of all bonds
25 and interest on the bonds to maturity has been set aside by the
26 issuer of the bonds or another person with the consent or approval
27 of the issuer in a trust fund held for the benefit of the
28 bondholders.

29 (b) A toll project entity may not amend a financing or other
30 agreement in a manner that would extend the date by which a toll
31 project would become part of the state highway system under

1 Subsection (a).

2 SECTION _____. The following provisions of the
3 Transportation Code are repealed:

- 4 (1) Section 228.006;
- 5 (2) Section 228.109(d);
- 6 (3) Sections 284.008(c) and (d);
- 7 (4) Section 366.003(9-a);
- 8 (5) Section 366.037;
- 9 (6) Section 366.071;
- 10 (7) Section 366.072(b); and
- 11 (8) Section 366.175.



17 MAY 15 AM 9:39

Rae Simms

FLOOR AMENDMENT NO. _____

HOUSE OF REPRESENTATIVES

BY:

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ . Subchapter C, Chapter 201, Transportation
5 Code, is amended by adding Section 201.120 to read as follows:

6 Sec. 201.120. CONTRACTING WITH PERSONS WITH DISABILITIES.

7 (a) The commission shall adopt rules to provide goals for
8 increasing the contract awards for the purchase of goods or
9 services by the department to businesses that are owned or
10 owned, operated, and controlled, as applicable, wholly or partly
11 by one or more persons with a disability as defined by 42 U.S.C.
12 Section 12102.

13 (b) The goals established under Subsection (a) are in
14 addition to any goals established under Chapter 2161, Government
15 Code, and the goals established under Chapter 2161, Government
16 Code, may not be reduced as a result of the establishment of
17 goals under this section.



17 MAY 15 AM 9:39
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.S.B. No. 312 (house committee report) as follows:
2 (1) Strike the recital to SECTION 17 of the bill (Committee
3 Printing, page 13, lines 4-5), and substitute "Sections 201.9991(a)
4 and (d), Transportation Code, are amended to read as follows":
5 (2) In SECTION 17 of the bill, immediately following amended
6 Section 201.9991(a), Transportation Code (Committee Printing, page
7 13, between lines 10 and 11), insert the following:
8 (d) The commission may make discretionary funding decisions
9 for no more than 10 percent of the current department biennial
10 budget for road construction [~~of the department~~].



17 MAY 15 AM 9:02
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Stickland

1 Amend C.S.S.B. No. 312 (house committee report) as follows:

2 (1) Strike SECTION 30 of the bill (page 20, line 27, through
3 page 21, line 4).

4 (2) On page 35, line 16, between "SECTION 51." and "The",
5 insert "(a)".

6 (3) On page 35, line 17, between "Sections" and "2205.003,"
7 insert "29.003(g),".

8 (4) On page 35, line 20, between "201.404(b-2)," and
9 "550.061", insert "542.405, 542.406, 544.012,".

10 (5) On page 35, between lines 21 and 22, insert the
11 following:

12 (b) Chapter 707, Transportation Code, is repealed.

13 (6) Add the following appropriately numbered SECTIONS to
14 the bill:

15 SECTION _____. Section 542.2035, Transportation Code, is
16 amended to read as follows:

17 Sec. 542.2035. AUTOMATED TRAFFIC CONTROL SYSTEMS
18 PROHIBITED [LIMITATION ON MUNICIPALITIES]. (a) A local authority
19 [~~municipality~~] may not implement or operate an automated traffic
20 control system with respect to a highway or street under its
21 jurisdiction [~~for the purpose of enforcing compliance with posted~~
22 ~~speed limits~~]. The attorney general shall enforce this subsection.

23 (b) In this section, "automated traffic control system"
24 means a system consisting of a photographic device, radar device,
25 laser device, or other electrical or mechanical device that
26 [~~designed to~~]:

27 (1) is capable of producing one or more recorded
28 photographic or digital images depicting the license plate attached
29 to the front or rear of a motor vehicle that is not operated in

1 compliance with a posted speed limit or the instructions of a
2 traffic-control signal; and

3 (2) is used by the local authority to enforce
4 compliance with a posted speed limit or the instructions of a
5 traffic-control signal by imposition of a civil or administrative
6 penalty against the owner or operator of the motor vehicle ~~[record~~
7 ~~the speed of a motor vehicle, and~~

8 ~~[(2) obtain one or more photographs or other recorded~~
9 ~~images of,~~

10 ~~[(A) the vehicle,~~

11 ~~[(B) the license plate attached to the vehicle,~~

12 ~~or~~

13 ~~[(C) the operator of the vehicle].~~

14 SECTION ____ . Section 27.031(a), Government Code, is amended
15 to read as follows:

16 (a) In addition to the jurisdiction and powers provided by
17 the constitution and other law, the justice court has original
18 jurisdiction of:

19 (1) civil matters in which exclusive jurisdiction is
20 not in the district or county court and in which the amount in
21 controversy is not more than \$10,000, exclusive of interest;

22 (2) cases of forcible entry and detainer; and

23 (3) foreclosure of mortgages and enforcement of liens
24 on personal property in cases in which the amount in controversy is
25 otherwise within the justice court's jurisdiction~~[, and~~

26 ~~[(4) cases arising under Chapter 707, Transportation~~
27 ~~Code, outside a municipality's territorial limits].~~

28 SECTION ____ . Section 780.003(b), Health and Safety Code, is
29 amended to read as follows:

30 (b) The account is composed of money deposited to the credit
31 of the account under ~~[Sections 542.406 and 707.008, Transportation~~

1 ~~Code, and under~~ Section 780.002 [~~of this code~~].

2 SECTION _____. Section 133.004, Local Government Code, as
3 amended by Chapters 718 (H.B. 2359), 1027 (H.B. 1623), and 1149
4 (S.B. 1119), Acts of the 80th Legislature, Regular Session, 2007,
5 is reenacted and amended to read as follows:

6 Sec. 133.004. CIVIL FEES. This chapter applies to the
7 following civil fees:

8 (1) the consolidated fee on filing in district court
9 imposed under Section 133.151;

10 (2) the filing fee in district court for basic civil
11 legal services for indigents imposed under Section 133.152;

12 (3) the filing fee in courts other than district court
13 for basic civil legal services for indigents imposed under Section
14 133.153;

15 (4) the filing fees for the judicial fund imposed in
16 certain statutory county courts under Section 51.702, Government
17 Code;

18 (5) the filing fees for the judicial fund imposed in
19 certain county courts under Section 51.703, Government Code;

20 (6) the filing fees for the judicial fund imposed in
21 [~~certain~~] statutory probate courts under Section 51.704,
22 Government Code;

23 (7) fees collected under Section 118.015;

24 (8) marriage license fees for the family trust fund
25 collected under Section 118.018;

26 (9) marriage license or declaration of informal
27 marriage fees for the child abuse and neglect prevention trust fund
28 account collected under Section 118.022; and

29 (10) the filing fee for the judicial fund imposed in
30 district court, statutory county court, and county court under
31 Section 133.154 [~~, and~~]

1 ~~[(11) the portion of the civil or administrative~~
2 ~~penalty described by Section 542.406(c)(1), Transportation Code,~~
3 ~~imposed by a local authority to enforce compliance with the~~
4 ~~instructions of a traffic-control signal,~~

5 ~~[(11) the portion of the civil or administrative~~
6 ~~penalty described by Section 707.008(a)(1), Transportation Code,~~
7 ~~imposed by a local authority to enforce compliance with the~~
8 ~~instructions of a traffic-control signal].~~

9 SECTION _____. (a) The repeal by this Act of Sections 542.405
10 and 542.406 and Chapter 707, Transportation Code, does not affect
11 the validity of a proceeding initiated or a civil penalty imposed
12 under those provisions before the effective date of this Act. A
13 proceeding initiated or a civil penalty imposed under those
14 provisions before the effective date of this Act is governed by the
15 applicable law in effect before the effective date of this Act, and
16 the former law is continued in effect for that purpose.

17 (b) Notwithstanding the repeal by this Act of Sections
18 542.405 and 542.406 and Chapter 707, Transportation Code, if before
19 June 1, 2017, a local authority had enacted an ordinance under those
20 provisions to implement a photographic traffic signal enforcement
21 system and entered into a contract for the administration and
22 enforcement of the system, the local authority may continue to
23 operate the system under that ordinance and under the terms of that
24 contract until the expiration date specified in the contract as the
25 contract existed on June 1, 2017.

26 (7) Renumber the SECTIONS of the bill accordingly.



17 MAY 15 AM 9:02
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Strickland

- 1 Amend C.S.S.B. No. 312 (house committee report) on page 3,
- 2 line 14, by striking "2029" and substituting "2023".



William W. Keller

17 MAY 15 AM 9:26

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: *Chris T*

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering the SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter B, Chapter 225, Transportation
5 Code, is amended by adding Section 225.123 to read as follows:

6 Sec. 225.123. ROSA PARKS MEMORIAL PARKWAY. (a) The portion
7 of State Highway 360 from the municipal limits of Mansfield in
8 Tarrant County to its intersection with East Sublett Road/West Camp
9 Wisdom Road in Tarrant County is designated as the Rosa Parks
10 Memorial Parkway.

11 (b) Subject to Section 225.021(c), the department shall:

12 (1) design and construct markers indicating the
13 designation as the Rosa Parks Memorial Parkway and any other
14 appropriate information; and

15 (2) erect a marker at each end of the highway and at
16 appropriate intermediate sites along the highway.

17 SECTION _____. Subchapter B, Chapter 225, Transportation
18 Code, is amended by adding Section 225.124 to read as follows:

19 Sec. 225.124. SENATOR CHRIS HARRIS MEMORIAL HIGHWAY. (a)
20 The portion of State Highway 360 from its intersection with U.S.
21 Highway 287 in Ellis County to the municipal limits of Mansfield in
22 Tarrant County is designated as the Senator Chris Harris Memorial
23 Highway.

24 (b) Subject to Section 225.021(c), the department shall:

25 (1) design and construct markers indicating the
26 designation as the Senator Chris Harris Memorial Highway and any
27 other appropriate information; and

28 (2) erect a marker at each end of the highway and at
29 appropriate intermediate sites along the highway.



852025

FLOOR AMENDMENT NO. _____

BY: WALLE

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Not later than March 1, 2018, the Texas
5 Department of Transportation shall implement the recommended
6 management actions contained in Issue 4 of the Sunset Advisory
7 Commission Staff Report for the Texas Department of
8 Transportation, 85th Legislature, that were approved by the Sunset
9 Advisory Commission.

17 MAY 15 AM 9:58
HOUSE OF REPRESENTATIVES



852026

FLOOR AMENDMENT NO. 17 MAY 15 AM 9:57

BY: WALLS

HOUSE OF REPRESENTATIVES

1 Amend C.S.S.B. No. 312 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Not later than March 1, 2018, the Texas
5 Department of Transportation shall implement the recommended
6 management actions contained in Issue 4 of the Sunset Advisory
7 Commission Staff Report for the Texas Department of
8 Transportation, 85th Legislature, that:

9 (1) Were approved by the Sunset Advisory Commission;

10 and

11 (2) relate to increasing the department's use of
12 historically underutilized businesses, as that term is
13 defined by Section 2161.001, Government Code;



851999

17 MAY 15 AM 9:04

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Wray

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter B, Chapter 391, Transportation
5 Code, is amended by adding Section 391.038 to read as follows:

6 Sec. 391.038. SIGN HEIGHT. A sign may not be higher than 85
7 feet, excluding a cutout that extends above the rectangular border
8 of the sign, measured:

9 (1) from the grade level of the centerline of the
10 main-traveled way, not including a frontage road of a controlled
11 access highway, closest to the sign at a point perpendicular to the
12 sign location; or

13 (2) if the main-traveled way is below grade, from the
14 base of the sign structure.

15 SECTION _____. Section 391.038, Transportation Code, as added
16 by this Act, applies to a sign erected before, on, or after the
17 effective date of this Act.



17 MAY 15 AM 9:04

FLOOR AMENDMENT NO. _____ HOUSE OF REPRESENTATIVES BY: Wray

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Subchapter B, Chapter 112, Transportation
5 Code, is amended by adding Section 112.063 to read as follows:

6 Sec. 112.063. HIGH-SPEED RAIL TECHNOLOGIES. (a) In this
7 section:

8 (1) "High-speed rail" means intercity passenger
9 service that is reasonably expected to reach speeds of at least 110
10 miles per hour.

11 (2) "Rail facility" has the meaning assigned by
12 Section 91.001.

13 (b) A private entity that constructs a rail facility for
14 high-speed rail service shall ensure that the facility is
15 compatible with more than one type of train technology.

16 (c) The department shall adopt rules as necessary to
17 implement this section.



17 MAY 15 AM 9:05

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Wray

1 Amend C.S.S.B. No. 312 (house committee printing) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering the SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter C, Chapter 112, Transportation
5 Code, is amended by adding Section 112.104 to read as follows:

6 Sec. 112.104. ELEVATED HIGH-SPEED RAIL TRACKS IN CERTAIN
7 COUNTIES. (a) In this section, "high-speed rail" means intercity
8 passenger rail reasonably expected to reach speeds of at least 120
9 miles per hour.

10 (b) High-speed rail tracks located in a county with a
11 population of more than one million or a county adjacent to a county
12 with a population of more than one million must be elevated on
13 pylons to 40 feet or more above the ground.