

BILL ANALYSIS

Senate Research Center

C.S.S.B. 773
By: Lindsay
State Affairs
4-18-97
Committee Report (Substituted)

DIGEST

One effect of the passage of the North American Free Trade Agreement (NAFTA) is a rise of truck volume on NAFTA-related roadways. The interaction of these large vehicles with other traffic and on certain roadways has resulted in the need to examine various countermeasures including the designation of truck lanes. This bill authorizes a municipality to restrict to designated lanes on the highway use of a part of a highway in the municipality by class of vehicle.

PURPOSE

As proposed, C.S.S.B. 773 authorizes a municipality to restrict to designated lanes on the highway use of a part of a highway in the municipality by class of vehicle.

RULEMAKING AUTHORITY

Rulemaking authority is granted to a municipality in SECTION 1 (Sec. 545.0651(b), Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 545B, Transportation Code, by adding Section 545.0651, as follows:

Sec. 545.0651. MUNICIPAL RESTRICTION ON USE OF HIGHWAY. Defines "department" and "highway." Authorizes a municipality, by ordinance, to restrict through traffic to two designated lanes of a highway in the municipality, by class of vehicle. Requires an ordinance under Subsection (b) to possess certain characteristics. Requires the municipality to submit to the Texas Department of Transportation (department) a description of the proposed restriction before adopting an ordinance under this section. Prohibits the municipality from enforcing the restriction unless certain conditions are fulfilled. Requires department approval to fulfill certain conditions. Authorizes the department's executive director or the executive director's designee to suspend or rescind approval under this section for certain reasons. Requires the department to erect and maintain official traffic control devices necessary to implement and enforce an ordinance adopted and approved under this section.

SECTION 2. Emergency clause.
Effective date: upon passage .

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 545.0651, Transportation Code, to add a new Subsection (a), to define "department" and "highway." Adds a new Subsection (c) to require an ordinance under Subsection (b) to be in effect at certain times and makes allowances for restricted vehicles. Redesignates proposed Subsection (c) as new Subsection (d), to prohibit the municipality from enforcing the restriction unless the department's executive directors, rather than executive director, has approved the restriction. Adds new Subsection (e), to require department approval to fulfill certain conditions. Redesignates proposed Subsection (d) as

new Subsection (f) to make a conforming change. Redesignates proposed Subsection (e) as new Subsection (g).