

HOUSE BILL 1508

By Rogers

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 6; Title 7; Title 9; Title 54; Title 55; Title 64;
Title 65 and Title 67, relative to maximizing
roadway capacity and mobility in corridors
connected to Nashville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Express Transportation Act".

SECTION 2. Tennessee Code Annotated, Section 54-3-113(a), is amended by adding the following at the end of the sentence immediately preceding the period:

and as a tool for managing traffic flow through tollways and toll facilities

SECTION 3. Tennessee Code Annotated, Section 54-3-104(d), is amended by deleting the following language:

except that additional lane capacity constructed on or along an existing highway or bridge after June 28, 2007, may be developed and operated as a tollway.

and substituting instead the following new language:

except that an existing HOV lane on a highway, bridge, or other transportation-related facility may be converted to a tollway or toll facility, whether or not the lane, highway, bridge, or facility was constructed prior to, or on or after, June 28, 2007, and additional lane capacity constructed on or along an existing highway or bridge after June 28, 2007, may be developed and operated as a tollway.

SECTION 4. Tennessee Code Annotated, Section 54-3-113, is amended by deleting subsection (c) and substituting instead the following:

(c) The department is urged to identify, and begin the development of, these pilot projects as soon as reasonably practical.

SECTION 5. Tennessee Code Annotated, Section 54-3-113(b), is amended by deleting the period at the end of subdivision (3) and substituting instead the language "; or" and by adding the following new subdivisions:

(4) Conversion of one (1) existing HOV lane to a managed/toll lane, including any extension to the existing HOV lane, bridges, and dedicated on or off highway ramps that may be necessary to complete the project, and one (1) of the following projects:

(A) A new highway project as specified in subdivision (b)(1)(A); or

(B) A major bridge project as specified in subdivision (b)(1)(B); or

(5) Conversion of two (2) existing HOV lanes to two (2) managed/toll lanes, including any extensions to the existing HOV lanes, bridges, and dedicated on or off highway ramps that may be necessary to complete the projects.

SECTION 6. Tennessee Code Annotated, Section 54-3-104(c), is amended by deleting the first sentence and substituting instead the following:

The commissioner may set tolls for the use of tollways or toll facilities, subject to any resolutions or indentures authorizing bonds. For projects described in § 54-3-113(b)(4)-(5) or other tollway project or toll facility project converting an HOV lane to a managed/toll lane on the interstate and defense highway system, no toll shall be imposed on any owner or operator of an emergency vehicle or high occupancy vehicle as defined in § 55-8-188; provided, that for those projects, the commissioner may require the payment of tolls by owners or operators of inherently low-emission vehicles and low-emission and energy-efficient vehicles, as defined in § 55-8-188, and single occupancy vehicles, in accordance with 23 U.S.C. § 166(b)(4)-(5) and (c); provided, further, that if payment of tolls by owners or operators of these vehicles is required, the department may establish procedures for automated enforcement of violations of, and restrictions on, the use of the lane or lanes by these vehicles.

SECTION 7. Tennessee Code Annotated, Section 55-8-188(c)(2)(A), is amended by deleting the language "and without payment of a special toll or fee".

SECTION 8. Tennessee Code Annotated, Section 55-8-198(f), is amended by deleting the language "on federal interstate highways except for Smart Way cameras" and substituting instead the language "on federal interstate highways except for such cameras or other automated devices used to enforce violations of, and restrictions on, the use of managed/toll lanes pursuant to § 54-3-104(c), Smart Way cameras".

SECTION 9.

(a) The department of transportation is encouraged to study the feasibility of developing, constructing, operating, maintaining, and financing a transportation network, to be known as the "Nashville Express Network", referred to in this act as "the network". The purposes of the Nashville Express Network are to provide an interconnected expressway allowing a free-flowing commute into, from, and around Nashville; provide a guideway network for bus rapid transit (BRT) to improve BRT users' experiences through speed maintenance and prevention of traffic congestion; increase mobility and roadway capacity during ingress to and egress from Nashville; and generate revenues to support these purposes through a fee for the voluntary use of the network.

(b) In conducting the study, the department of transportation may:

(1) Consult with the federal highway administration regarding the federal review process needed to receive approval from the federal highway administration to implement the network; and

(2) Identify sources of funding, including federal grants, for development of the network.

(c) The department shall report its findings and any recommendations resulting from the study to the transportation and safety committee of the senate and the transportation committee of the house of representatives on or before February 1, 2017.

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.