

HOUSE BILL 187

By Rogers

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 54; Title 55; Title 64 and Title 65, relative to the management of traffic flow through tollways and toll facilities.

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 54-3-104(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 3. 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 tollway projects or toll facility projects 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). All revenue collected from tolls imposed for the use of managed/toll lanes shall be used solely for the maintenance, management, and enhancement of the managed/toll lane system and other purposes as provided in 23 U.S.C. § 129(a)(3).

SECTION 4. 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 5. This act shall take effect upon becoming a law, the public welfare requiring it.