



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 967**

### **SENATE BILL NO. 1953**

**By Yarbro, Ketron, Harper**

Substituted for: House Bill No. 2022

By Beck, Sargent, Clemmons, Holsclaw, Byrd, Gilmore, Stewart, Powell

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 9; Title 54; Title 55; Title 64 and Title 65, relative to operation of mass transit systems on shoulders of highways and rights-of-way.

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

SECTION 1. Tennessee Code Annotated, Section 55-8-118, is amended by adding the following as a new subsection (c):

(c)(1) Notwithstanding this section, the driver of a bus operated by or for a publicly owned transit agency may overtake and pass a vehicle upon the right when operating on the shoulder or right-of-way of any highway on the state system of highways, including interstate highways, when authorized by the department of transportation. Except for authorized emergency vehicles, the operation of a vehicle on the shoulder or right-of-way of a state highway other than a bus authorized by the department is an offense punishable as a Class C misdemeanor.

(2) The department is authorized to promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to effectuate the purposes of subdivision (c)(1), including establishing procedures for authorizing the operation of a bus on the shoulder or right-of-way and regulations for ensuring the safety of passengers on a bus and in vehicles operating on the main traveled way of the adjacent highway or right-of-way, such as establishing a maximum speed limit of a bus, limiting the use of the shoulder or right-of-way during peak traffic periods, and installing signs indicating the shoulder or right-of-way is reserved for exclusive use by a bus.

(3) As used in this subsection (c), "bus" does not include a school bus.


(4) The department may take any action to obtain federal, state, or local assistance for any aspect of implementation of a program to allow a bus to utilize the shoulder or right-of-way of a state highway as provided in subdivision (c)(1); provided, that any funds used for the purposes of this subsection (c) shall be specifically appropriated by reference in the general appropriations act.

SECTION 2. No later than March 1, 2019, the department of transportation shall submit a detailed report to the transportation and safety committee of the senate and the transportation committee of the house of representatives on the status of any shoulder or right-of-way under, or being planned for, construction or improvement and of any current or planned operation of buses on a shoulder or right-of-way for purposes of Tennessee Code Annotated, Section 55-8-118(c).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1953

PASSED: April 18, 2016

  
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RON RAMSEY  
SPEAKER OF THE SENATE

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 21<sup>st</sup> day of April 2016

  
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BILL HASLAM, GOVERNOR