

**CITY OF EL PASO, TEXAS  
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Engineering Department, Traffic Division  
**AGENDA DATE:** CCA Intro 07/28/2009, Public Hearing 08/04/2009  
**CONTACT PERSON/PHONE:** Ted Marquez, 541-4035  
**DISTRICT(S) AFFECTED:** Districts - All

CITY CLERK DEPT.  
09 JUL 13 PM 3:19

**SUBJECT: ORDINANCE**

AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC) OF THE EL PASO CITY CODE, BY ADDING CHAPTER 12.42 (RESTRICTIONS FOR TRUCKS UPON A PORTION OF INTERSTATE HIGHWAY 10), RESTRICTING TRUCKS WITH THREE OR MORE AXELS TO THE LANES ON THE RIGHT OF THE LEFT MOST LANE ON INTERSTATE HIGHWAY 10 FROM 0.2 MILES EAST OF STATE HIGHWAY 20 (MESA STREET) TO 0.7 MILES WEST OF FARM-TO-MARKET HIGHWAY 659 (ZARAGOZA ROAD) FOR EASTBOUND VEHICLES AND 0.3 MILES WEST OF FARM-TO-MARKET HIGHWAY 659 (ZARAGOZA ROAD) TO 0.2 MIILES EAST OF STATE HIGHWAY 20 (MESA) STREET FOR WESTBOUND VEHICLES, PROVIDED THE RESTRICTED VEHICLE MAY USE ANY LANE OF THE HIGHWAY TO PASS ANOTHER VEHICLE AND TO ENTER AND EXIT THE HIGHWAY, THE PENALTY AS PROVIDED IN CHAPTER 12.84 OF THE EL PASO CITY CODE.

**BACKGROUND / DISCUSSION:**

On November 2008, City Council authorized staff to proceed with a request to the Texas Department of Transportation to restrict trucks, with 3 or more axels, from using the left lane of I-H 10 from Mesa Street. to Zaragoza Road. The Texas Department of Transportation evaluated and concurs with the City's request, however; they require that this ordinance before council be approved prior to implementing this request. The Texas Department of Transportation will provide and install the signs at no cost to the City of El Paso.

**PRIOR COUNCIL ACTION:** November 2008

**AMOUNT AND SOURCE OF FUNDING:** N/A

**BOARD / COMMISSION ACTION:** N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_  
(Example: if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:** \_\_\_\_\_  
**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC) OF THE EL PASO CITY CODE, BY ADDING CHAPTER 12.42 (RESTRICTIONS FOR TRUCKS UPON A PORTION OF INTERSTATE HIGHWAY 10), RESTRICTING TRUCKS WITH THREE OR MORE AXELS TO THE LANES ON THE RIGHT OF THE LEFT MOST LANE ON INTERSTATE HIGHWAY 10 FROM 0.2 MILES EAST OF STATE HIGHWAY 20 (MESA STREET) TO 0.7 MILES WEST OF FARM-TO-MARKET HIGHWAY 659 (ZARAGOZA ROAD) FOR EASTBOUND VEHICLES AND 0.3 MILES WEST OF FARM-TO-MARKET HIGHWAY 659 (ZARAGOZA ROAD) TO 0.2 MIILES EAST OF STATE HIGHWAY 20 (MESA) STREET FOR WESTBOUND VEHICLES, PROVIDED THE RESTRICTED VEHICLE MAY USE ANY LANE OF THE HIGHWAY TO PASS ANOTHER VEHICLE AND TO ENTER AND EXIT THE HIGHWAY, THE PENALTY AS PROVIDED IN CHAPTER 12.84 OF THE EL PASO CITY CODE.**

**WHEREAS**, the Texas Transportation Code §545.0651, allows a municipality, by ordinance, to restrict, by class of vehicle, through traffic to two or more designated lanes of a highway in the municipality; and

**WHEREAS**, the City Council of the City of El Paso seeks to establish lane restrictions for trucks upon a portion of Interstate Highway 10 within the City of El Paso in accordance with Texas Transportation Code; and

**WHEREAS**, the Texas Administrative Code, Chapter 43, §25.603 sets out the procedure whereby a municipality may restrict, by class of vehicle, through traffic to two or more designated lanes of a highway in the municipality; and

**WHEREAS**, the City has complied with the provisions of the Texas Transportation Code and the Texas Administrative Code; and

**WHEREAS**, pursuant to the relevant provisions of the Texas Transportation Code, the City has provided the Texas Department of Transportation with a complete description of the restrictions sought by the City; and

**WHEREAS**, pursuant to the relevant provisions of the Texas Administrative Code, the City held a public hearing on November 11, 2008, allowing the public to comment on the proposed ordinance. Notice of the hearing contained a complete description of the proposed

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restriction, including the location, route numbers, and beginning and ending points of the restriction; and

**WHEREAS**, pursuant to the relevant provisions of the Texas Transportation Code and the Texas Administrative Code, the Executive Director of the Texas Department of Transportation, or his designee, has reviewed the proposed restrictions, conducted the required traffic study, provided the required public notice, and issued a letter of authorization to the City approving the proposed restrictions described in this ordinance; and

**WHEREAS**, in the interest of public safety, it is desirable to restrict trucks with three or more axels, to the lanes on the right of the left most lane on Interstate Highway 10 from .02 miles east of State Highway 20 (Mesa Street) to 0.7 miles west of Farm-to-Market Highway 659 (Zaragoza Road) for eastbound vehicles and 0.3 miles west of Farm-to-Market Highway 659 (Zaragoza Road) to 0.2 miles east of State Highway 20 (Mesa Street) for westbound vehicles, provided the restricted vehicle may use any lane of the highway to pass another vehicle and to enter and exit the highway.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**Section 1.** That Title 12 (Vehicles and Traffic) shall be and hereby is amended to add Chapter 12.42 (Restrictions for Trucks Upon a Portion of Interstate Highway 10) as follows:

**Chapter 12.42 Restrictions for Trucks Upon a Portion of Interstate Highway 10**

**Section 12.42.010 Definitions**

*Authorized lane* means the lanes to the right of the left most lane.

*Designated portion of affected highway* means that part of Interstate Highway 10 from 0.2 miles east of the apex of the State Highway 20 (Mesa Street) overpass structure on the west to a point 0.7 miles west of the apex of the Farm-to-Market Highway 659 (Zaragoza Road) overpass structure on the east for eastbound vehicles and 0.3 miles west of the apex of the Farm-to-Market Highway 659 (Zaragoza Road) overpass structure on the east to point 0.2 miles east of the apex of the State Highway 20 (Mesa Street) overpass structure on the west for westbound vehicles,.

*Truck* means a “truck” as defined in Section §541.201 of the Texas Transportation Code that has three or more axels or a “truck tractor” as defined by Section §541.201 of the Texas Transportation Code, regardless of whether the truck tractor is drawing another vehicle or trailer.

**Section 12.42.020 Restrictions**

Any person driving or operating a truck on the designated portion of affected highway shall not utilize any control access lane other than the authorized lanes, except that a restricted vehicle may use any lane of the highway to pass another vehicle and to enter and exit the highway.

**12.42.030 Enforcement**

A. Enforcement of this ordinance will commence upon the placement of the appropriate traffic control devices as specified under Texas Transportation Code Section §545.0651.

B. A violation of this provision is a misdemeanor and shall be punished by a fine not exceeding \$500.00.

C. This restriction may be suspended by the Texas Department of Transportation Executive Director or his designee, for any reasons stated under Texas Transportation Code Section §545.0651(f).

**Section 2.** Except as expressly herein amended, all other provisions of Title 12 of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

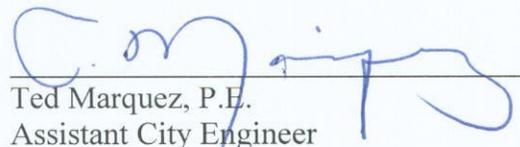
ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mark Shoemith  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Ted Marquez, P.E.  
Assistant City Engineer

**COPY**

Joanne Wright  
Deputy General Counsel  
Texas Department of Transportation  
Filed: March 24, 2009

◆ ◆ ◆  
**Public Notice - Aviation**

Pursuant to Transportation Code, §21.111, and Title 43, Texas Administrative Code, §30.209, the Texas Department of Transportation conducts public hearings to receive comments from interested parties concerning proposed approval of various aviation projects.

For information regarding actions and times for aviation public hearings, please go to the following web site:

[http://www.txdot.gov/public\\_involvement/hearings\\_meetings/schedule.htm](http://www.txdot.gov/public_involvement/hearings_meetings/schedule.htm)

Or visit [www.txdot.gov](http://www.txdot.gov), click on Public Involvement, click on Hearings and Meetings, and then click on Aviation.

Or contact Texas Department of Transportation, Aviation Division, 150 East Riverside, Austin, Texas 78704, (512) 416-4501 or 1-800-68-PI-LOT.

TRD-200901155  
Joanne Wright  
Deputy General Counsel  
Texas Department of Transportation  
Filed: March 24, 2009

◆ ◆ ◆  
**Public Notice - Municipal Restriction on Use of State Highway**

In accordance with Transportation Code, §545.0651 and 43 TAC §§25.601 - 25.603, the City of El Paso has proposed an ordinance establishing lane use restrictions for certain trucks on a portion of Interstate Highway (IH) 10 within the city.

The proposed ordinance would apply to trucks, as defined in Transportation Code, §541.201, with three or more axles, and to truck tractors, also as defined by Transportation Code, §541.201, regardless of whether the truck tractor is drawing another vehicle or trailer. The proposed ordinance would prohibit those eastbound vehicles from using the left hand (or inner) controlled access lane on IH10, between a point 0.2 miles east of the apex of the State Highway 20 (Mesa Street) overpass structure on the west and a point 0.7 miles west of the apex of the Farm-to-Market Highway 659 (Zaragoza Road) overpass structure on the east. The proposed ordinance would also prohibit those westbound vehicles from using the left hand (or inner) controlled access lane on IH10, between a point 0.3 miles west of the apex of the Farm-to-Market Highway 659 (Zaragoza Road) overpass structure on the east and a point 0.2 miles east of the apex of the State Highway 20 (Mesa Street) overpass structure on the west.

The proposed restriction would apply 24 hours a day, 365 days a year, and would allow the operation of such a truck in a prohibited traffic lane

only for the purposes of passing another vehicle or entering or exiting the highway.

In accordance with 43 TAC §25.603(f), the Texas Department of Transportation will evaluate the impact of the proposed restriction and the proposed ordinance's compliance with the requirements of Transportation Code, §545.0651 and 43 TAC §§25.601 - 25.603. Interested persons are requested to submit comments concerning the proposed ordinance. Written comments may be submitted to Mr. Carlos Lopez, P.E., Director, Traffic Operations Division, Texas Department of Transportation, 125 East 11th Street, Austin, Texas 78701. The deadline for receipt of comments is 5:00 p.m. on May 4, 2009.

TRD-200901157  
Joanne Wright  
Deputy General Counsel  
Texas Department of Transportation  
Filed: March 24, 2009

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**The Texas A&M University System**

**Request for Proposals**

**Business/Process Mapping Analysis - RFP90005**

Texas A&M University-Corpus Christi (TAMU-CC) seeks a consultant to conduct a comprehensive Business/Process Mapping and Analysis for the department of Enrollment Management.

In particular, the services requested herein and to be provided under any contract(s) awarded as a result of the Request for Proposals (RFP), will detail process maps of the following departments: University Registrar, Admissions, Financial Assistance, Academic Advising Transition and Bursar's Office.

The RFP documentation may be obtained by contacting: David Davila, Associate Director, Purchasing, Texas A&M University-Corpus Christi, 6300 Ocean Drive, Unit 5731, Corpus Christi, Texas 78412 or e-mail at [david.davila@tamucc.edu](mailto:david.davila@tamucc.edu).

TAMU-CC will base its choice on demonstrated competence, knowledge, experience, and qualifications and on the reasonableness of the proposed fee for the services; and if other considerations are equal, give preference to a consultant who has conducted similar business/process mapping and analysis in a postsecondary institution of higher learning, specifically within the functional areas of Enrollment Management.

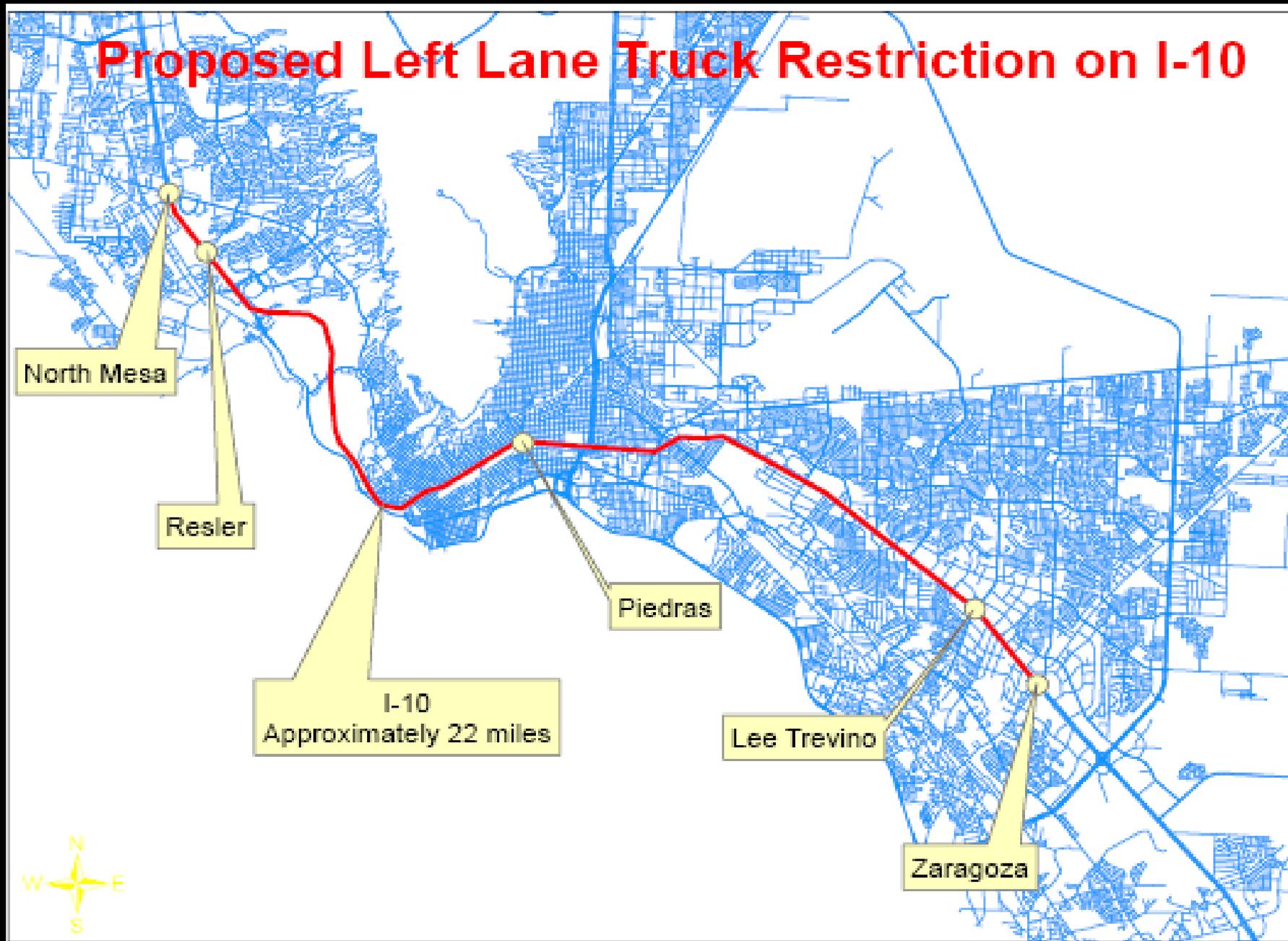
Proposals must be received on or before 2:00 p.m. CDT on April 23, 2009.

TRD-200901163  
Don Barwick  
HUB and Procurement Manager  
The Texas A&M University System  
Filed: March 24, 2009

# Proposal to Restrict Trucks from the Left Lane of I-10



# Proposed Left Lane Truck Restriction on I-10



## Goals:

- Increase Safety
- Mitigate Congestion



# Legislation

Texas State Transportation Code 545.0651  
gave restriction authority to:

- ❖ TxDOT Highway Commission
- ❖ Municipality with TxDOT approval

**El Paso has met**  
**Texas Transportation Code 545.0651**  
**General Criteria Requirements**

- ✓ At least 3 freeway lanes
- ✓ Controlled access facility
- ✓ Restricts trucks to 2 or more lanes
- ✓ Passing is allowed
- ✓ “Systematic approach”
- ✓ Traffic Study Required



El Paso has met  
Texas Transportation Institute (TTI) Criteria:

- ✓ Three Lanes or More in Each Direction.
- ✓ Six Mile Minimum Length.
- ✓ Restricted Vehicles Makeup 4% of All Vehicles.
- ✓ 10% of Restricted Vehicles in Left Lane.
- ✓ No Left (Inside) Ramps Along Restricted Section.



The Procedures being followed to implement the restriction are contained in:

Texas Administrative Code, Rule 25.603  
*“Development of Proposed Restriction by  
Local Jurisdictions”*



## Procedures Completed:

- ✓ May 15, 2006: The Texas Transportation Institute released the traffic study requested by TxDOT to evaluate the restrictions impact.
- ✓ November 11, 2008, the city held a public meeting and approved submitting the proposed ordinance to TxDOT.



**RESOLUTION**

**WHEREAS**, Texas Transportation Code § 545.0651, allows a municipality, by ordinance, to restrict, by class of vehicle, through traffic to two or more designated lanes of a highway in the municipality; and

**WHEREAS**, Texas Administrative Code, Chapter 43, § 25.603, sets out the procedure whereby a municipality may restrict, by class of vehicle, through traffic to two or more designated lanes of a highway in the municipality; and

**WHEREAS**, pursuant to Texas Administrative Code, Chapter 43, § 25.603, a municipality, shall hold at least one public hearing on any proposed ordinance that restricts through traffic by class of vehicle to designated lanes, prior to submitting the proposed ordinance to the Texas Department of Transportation (TxDot) for approval; and

**WHEREAS**, the proposed ordinance, restricting trucks with three or more axels, to the lanes on the right of the left most lane on Interstate Highway 10, from State Highway 20 (Mesa Street) to Farm to Market 659 (Zaragoza Road) is attached hereto as Exhibit "A"; and

**WHEREAS**, a Public Hearing and opportunity for public comment was held on Nov. 11, 2008, notice of which was posted as required by state law.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City of El Paso be authorized to submit to the Texas Department of Transportation for approval, the attached proposed ordinance restricting trucks with three or more axels, to the lanes on the right of the left most lane on Interstate Highway 10, from State Highway 20 (Mesa Street) to Farm to Market 659 (Zaragoza Road).

**ADOPTED** this 11<sup>th</sup> day of November, 2008.

THE CITY OF EL PASO:

John F. Cook  
John F. Cook  
Mayor

ATTEST:

Richarda Duffy-Momsen  
Richarda Duffy-Momsen  
City Clerk

APPROVED AS TO FORM:

Mark Shoosmith  
Mark Shoosmith  
Assistant City Attorney

APPROVED AS TO CONTENT:

R. Alan Shubert  
R. Alan Shubert, P.E.  
City Engineer

**RECEIVED**  
NOV 14 2008

**RECEIVED**  
NOV 13 2008

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CITY CLERK DEPT.

## Procedures Completed:

- ✓ December 2008, the City submitted a description of the proposed restriction to TxDOT.
- ✓ April 3, 2009, TxDOT published the proposed restriction in the Texas Register.
- ✓ After 30 Days, TxDOT received no comments from the Texas Register.



## Procedures Completed:

- ✓ Based upon these results, TxDOT decided not to hold any additional public meetings.
- ✓ On June 10, 2009, the City received a letter of approval from the TxDOT Executive Director, authorizing the City of El Paso to restrict truck traffic to certain lanes on I-10 from North Mesa to Zaragoza.





# Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

May 20, 2009

Mr. Ted Marquez, P.E.  
Assistant City Manager  
City of El Paso  
2 Civic Center Plaza  
El Paso, Texas 79901

RECEIVED

JUN 10 2009

Traffic Engineering

Dear Mr. Marquez:

In accordance with 43 TAC §§25.601-25.603, I hereby approve the proposed City of El Paso Ordinance, restricting truck traffic to certain lanes on I-10 from SH 20 (Mesa Street) to FM 659 (Zaragosa Road), which was submitted by your office to Charles H. Berry, Jr., on March 6, 2009.

The Texas Department of Transportation (TxDOT) determined that the proposed ordinance has met all of the criteria of 43 TAC §25.603(f). Therefore, TxDOT published a public notice in the *Texas Register* on April 3, 2009 and received no comments. Accordingly, TxDOT has elected to not hold a public hearing on this proposed restriction.

Once you notify the El Paso District that the ordinance has been passed, the Department will begin the process of erecting the necessary signs.

If you have any questions or need additional information, please contact Charles H. Berry, Jr. at (915) 790-4200 or me at (512) 305-9501.

Sincerely,

Amadeo Saenz, Jr., P.E.  
Executive Director

Attachments

cc: Charles H. Berry, Jr., P.E., El Paso District Engineer, TxDOT

RECEIVED

JUN 10 2009

ENGINEERING DEPT.

THE TEXAS PLAN  
REDUCE CONGESTION • ENHANCE SAFETY • EXPAND ECONOMIC OPPORTUNITY • IMPROVE AIR QUALITY  
INCREASE THE VALUE OF OUR TRANSPORTATION ASSETS

An Equal Opportunity Employer

## Remaining Procedures:

### By the City of El Paso:

- City Passes Ordinance
- Notify TxDOT ordinance passed.

### By TxDOT:

- Allocate Funds and Erects Signs



# Authority to Rescind Restriction

TxDOT Executive Director or his Designee  
May Suspend or Rescind Approval

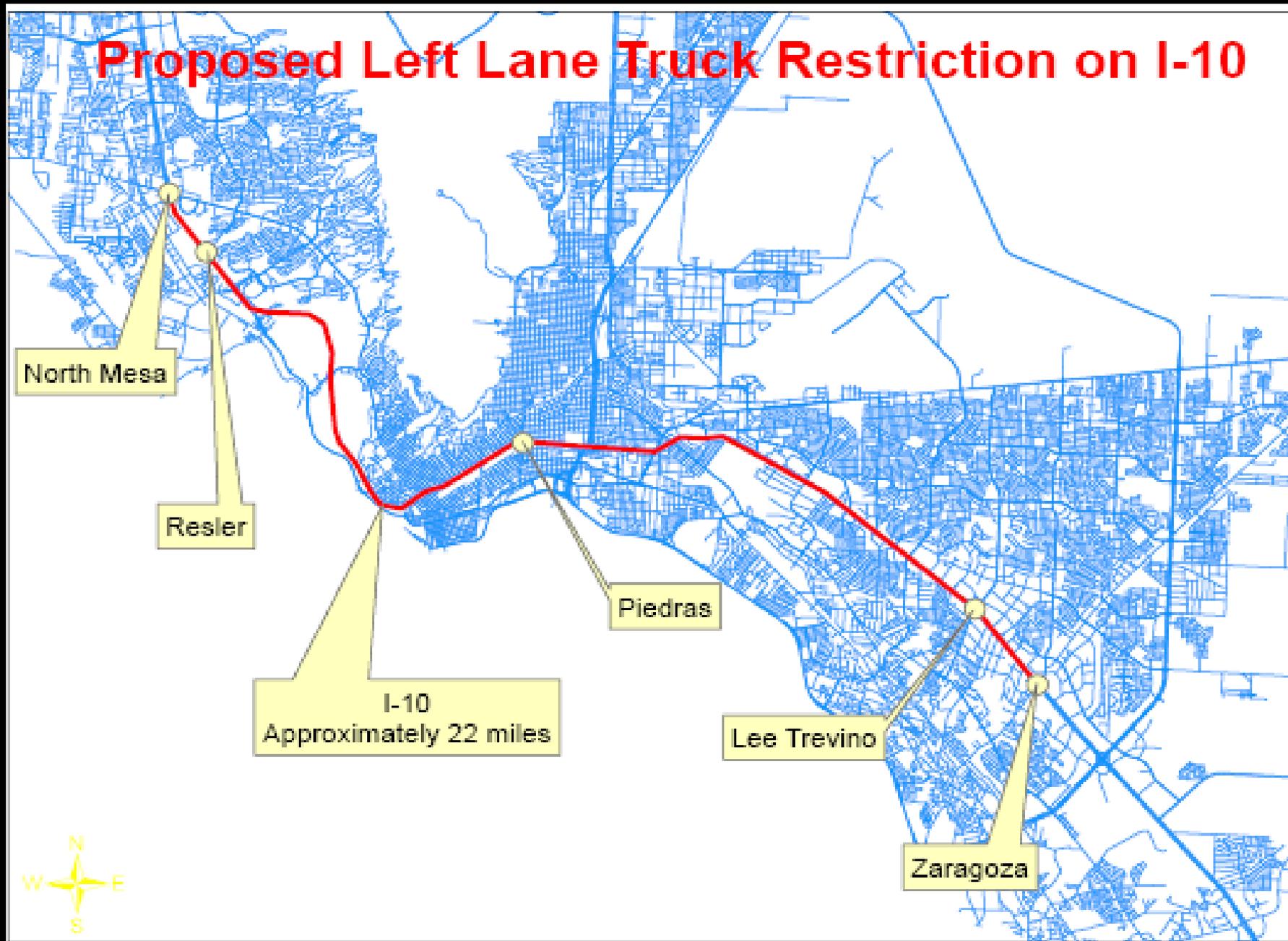


# Necessary Components

- **Good information distribution – media involvement**
- **Compliance from trucking industry**
- **Active Enforcement**



# Proposed Left Lane Truck Restriction on I-10



North Mesa

Resler

Piedras

Lee Trevino

Zaragoza

I-10  
Approximately 22 miles



Questions?

