

** DEFERRED **

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE NORTH EAST TEXAS
REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 13-01

WHEREAS, the North East Texas Regional Mobility Authority (“NET RMA”) was created pursuant to the request of Gregg and Smith Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the “RMA Rules”); and

WHEREAS, the Board of Directors of the NET RMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, subsequent to the initial formation of the NET RMA the Counties of Cherokee, Rusk, Harrison, Upshur, Bowie, Panola, Wood, Cass, Van Zandt, and Titus joined the Authority and are represented on the Board of Directors; and

WHEREAS, the NET RMA is currently developing Segment 3B of the Toll 49 project (the “Toll 49 Segment 3B Project”) through a design/build comprehensive development agreement (“CDA”); and

WHEREAS, upon the completion of the Toll 49 Segment 3B Project, the NET RMA will be responsible for the operation of Segments 1, 2, 3A, 3B, and 5 of Toll 49 (collectively, “Toll 49”) and it will be necessary for the NET RMA to establish certain rules and regulations regarding use of Toll 49; and

WHEREAS, section 370.179 (b)(1) of the Texas Transportation Code provides that a regional mobility authority such as the NET RMA may prohibit the use of or access to or from a turnpike project by a motor vehicle, bicycle, another classification or type of vehicle, or a pedestrian; and

WHEREAS, the Board of Directors agrees that the presence of bicycle traffic on Toll 49 would pose a significant danger to both vehicular and bicycle traffic.

NOW THEREFORE, BE IT RESOLVED, that the NET RMA Board of Directors approves of the adoption of a regulation prohibiting the use of Toll 49 by bicycles, mopeds, motor-driven cycles, and electric bicycles as defined in section 541.201 of the Transportation Code; and

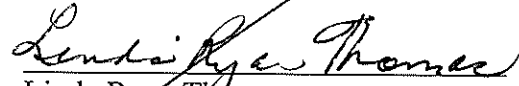
BE IT FURTHER RESOLVED, that the Interim Executive Director is directed to cause to be installed appropriate signage reflecting such regulation upon final completion of Toll 49.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 22nd day of January, 2013.

Submitted and reviewed by:

C. Brian Cassidy
General Counsel for the North East
Texas Regional Mobility Authority

Approved:



Linda Ryan Thomas

Linda Ryan Thomas
Chair, Board of Directors
Resolution Number 13-01
Date Passed: 01/22/13