

Legislative Update

Background

The 81st Texas Legislature has been in session since mid-January 2009 and has produced a record number of bill filings as of March 18, 2009. Transportation related bills covering topics from toll roads to child safety seat requirements are in play this session as they were in the 80th Legislative session.

Early in the session, a number of bills were presented that would alter the structure and operations of the Texas Department of Transportation (TxDOT). Many of them were based upon recommendations from the Sunset Committee's review of the operations of the department in the wake of the Trans-Texas Corridor concept. While most of those bills are not being reported out of committees, there are a few worth monitoring in this area. The most significant is HB 2589 filed by Representative Pickett of El Paso that would realign the 25 TxDOT districts to match the geographic boundaries of the 24 councils of government boundaries. It would also create 24 rural planning organizations (RPOs) that would have standing with TxDOT similar to that of existing metropolitan transportation planning organizations (MPOs). Under Representative Pickett's bill, RPOs and MPOs would have more authority to program projects on both the state and local transportation networks.

SB 1019, filed by Representative Hegar of Katy, would eliminate the five-member Texas Transportation Commission and replace it with a commissioner appointed by the Governor and approved by the Senate. It would also remove the Motor Vehicles Department from TxDOT and require employee performance evaluations to assess whether an employee has been responsive to the directives and requests of the Legislature. The bill would establish a Transportation Legislative Oversight Committee composed of the Chair of the Senate Committee on Transportation and Homeland Security, the Chair of the House Committee on Transportation, two members of the Senate appointed by the Lieutenant Governor, and two members of the House appointed by the Speaker. The primary duty of the committee would be to "monitor the department's planning, programming, and funding of the state transportation system."

Given the state of the economy, it is unlikely that bills that would increase taxes/fees or eliminate revenue from a source without a clearly identified replacement (that is politically palatable) will reach a floor vote. Bills introduced late last year to end diversions from Fund 006, authorize local option transportation taxes, and index the motor fuels tax are also not being reported out of committee and many have yet to get a hearing before committee.

Action Required

For information only.