

Legislative Update

Background

The major urban areas in Texas face tremendous challenges with regard to funding of transportation and mobility infrastructure projects. Billions of dollars are needed to fund new, already identified highway and roadway projects, safety improvement projects, and bridges and mass transit systems such as passenger rail systems. New funding tools are needed to address these challenges, including tools for local government entities, which have transportation infrastructure obligations and responsibilities.

One such tool would be the ability to raise funds through fee assessments or fee increases authorized by voter approval. However, under current law, counties, which would conduct the elections involving such measures, do not have the mechanism to call for a countywide election on the issue of fee increases. C.S.S.B. 855 provides for local options regarding mobility improvement projects in certain counties and municipalities.

The bill would authorize a county to include on a ballot proposition any combination of the following methods of local option funding: 1) a tax on the retail sale of gasoline or diesel fuel in the county; 2) a mobility improvement fee, in an amount not less than \$1 or more than \$60, imposed on a person registering a motor vehicle in the county at the time of registration; 3) a parking management fee, in an amount not to exceed \$2 per day per vehicle; 4) an annual motor vehicle emissions fee on vehicles registered in the county; 5) a fee for the renewal of a driver's license issued to a county resident; and, 6) a Texas new resident roadway impact fee, in an amount not less than \$1 or more than \$250, imposed on each person registering a motor vehicle previously registered in another state or country.

SB 16 furthers the goals of S.B. 12, 80th Legislature, Regular Session, 2007, by modifying and enhancing the Texas Emissions Reduction Program and the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program. Other mechanisms in the bill designed to incentivize the adoption of innovative clean air technologies include a rebate program for plug-in hybrid passenger vehicles and support for electricity storage projects related to renewable energy. The bill provides incentives for new, point source-oriented air quality technologies, modifies and enhances existing state air quality programs, and establishes appliance standards and energy efficient building codes.

SB 16 establishes the Energy Efficient Appliance Grant Program, which will incentivize the purchase of equipment and appliances that meet or exceed federal Energy Star standards, and it encourages the rest of the state to match the energy efficient building codes that certain Texas municipalities have already established.

Other bills that seem to have traction are shown in the attachment.

Action Required

For information only.

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Active High Profile Bills

Bill #	Author(s)	Committee	Caption	Status	Brief Description
SB 855	Carona	Transportation & Homeland Security	Relating to local options regarding transportation and mobility improvement projects in certain counties. Companion Bill – HB 9	Amended and passed by Senate – 4/14/09	Allows localities to impose fees, or taxes to improve the transportation network in a specific area. The original bill applied only to the North Texas, Capital, West Texas Border, and Alamo regions. It was amended to include Nueces and Cameron counties
SB 16	Averitt	Natural Resources	Relating to the enhancement of air quality, including the capture of carbon dioxide and development of a greenhouse gas registry, the development of emissions reduction technologies, and the improvement of energy efficiency in buildings, vehicles, and appliances; providing civil penalties.	Amended and passed by Senate – 4/14/09	Provides incentives for new point source air quality technologies, establishes appliance standards and building energy efficiency codes and requires TCEQ, PUC, and the RRC to collaborate on clean air technology guidelines
SB 17	Nichols, Carona, Nelson, Patrick, D., Shapiro	Transportation & Homeland Security	Relating to the design, development, financing, construction, and operation of certain toll projects. Companion Bill – HB 2929	Passed by Senate and received in House – 4/07/09	This bill repeals the market valuation of SB 792 of the 80 th Legislature, Regular session, and creates a first right of refusal guarantee for local and state entities to build future toll projects
SB 220	Nichols	Transportation & Homeland Security	Relating to the conversion of a non-tolled state highway or segment of the state highway system to a toll project. Companion bill - HB 1438	Passed by Senate and referred to Transportation Committee in House – 3/30/09	Limits TxDOT's ability to convert free lanes to tolled. Notably, the Grand Parkway is exempted under the bill because it has been planned as a toll prior to Sept. 1, 2005.
HJR 54	Deshotel	Transportation	Proposing a constitutional amendment to limit the purposes for which revenues from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenues received from the federal government may be used. HB 1047, SJR 22, SB746	Reported favorably from Committee and sent to Calendar – 4/14/09	This Resolution proposes a constitutional amendment that would eliminate the use of highway funds being dedicated to law enforcement