

SUBJECT: Requiring TxDOT to publish annual breakdown of county activity

COMMITTEE: Transportation — favorable, without amendment

VOTE: 8 ayes — Krusee, Phillips, Deshotel, Haggerty, Harless, Hill, Macias, Murphy

0 nays

1 absent — Harper-Brown

SENATE VOTE: On final passage, March 7 — 30-0

WITNESSES: For — None

Against — None

On — (*Registered, but did not testify*: James Bass, Texas Department of Transportation)

DIGEST: SB 255 would create Transportation Code, sec. 201.805 to require the Texas Department of Transportation (TxDOT) to publish annually in appropriate media and on the agency's Web site certain information that could be read into a commercially available electronic database. The agency would have to include a statistical comparison of TxDOT districts and the following information, calculated on a per capita basis based on the most recent census data and listed for each county and for the state for each fiscal year:

- the number of square miles;
- the number of vehicles registered;
- the population;
- daily vehicle miles;
- the number of centerline miles and lane miles;
- construction, maintenance, and contracted routine and preventive maintenance expenditures;
- combined construction, maintenance, and contracted routine and preventive maintenance expenditures;

- the number of district and division office construction and maintenance employees;
- information regarding grant programs;
- approved State Infrastructure Bank loans; and
- Texas Traffic Safety Program grants and expenditures.

This bill would take effect September 1, 2007.

**SUPPORTERS
SAY:**

SB 255 would require TxDOT to provide in an easily accessible manner on its Web site updated and accurate data concerning transportation projects that would allow citizens and legislators the ability to compare this information on a county-by-county basis. The bill would allow lawmakers and taxpayers to hold TxDOT accountable on how it is spending money and ensure that the agency is allocating funds in the best way possible.

Although TxDOT is required to report certain expenditures to certain high-ranking state officials and agencies, the agency is not required under law to report basic statistics that are available to the general public. This lack of access and transparency has led many to question how transportation dollars are being spent. This bill would give TxDOT a legal obligation to provide this information, allowing citizens to see for themselves and analyze if their tax dollars are being spent effectively and efficiently.

**OPPONENTS
SAY:**

Although its aims are valid, this bill would require TxDOT to provide some information it either cannot discern or that is not as updated or accurate as possible. The agency cannot break every category down into a county-by-county comparison because some grants are issued to multi-county districts that divvy up the money themselves. Requirements to use census data would force the agency to use more outdated information than the annually updated state data center figures it uses today. The agency no longer breaks down data by “construction, maintenance, and contracted routine and preventive maintenance procedures” but instead assesses expenditures on “construction, non-contracted maintenance, and contracted maintenance.” Another provision to require accounting of division construction and maintenance employees would be misleading because it would not provide for private sector employees who perform that function.