

BILL ANALYSIS

Senate Research Center
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S.B. 129
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Transportation and Homeland Security
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The central Texas area is seeing a much-needed road construction boom funded by bonds to be repaid by future toll revenues. Three projects--SH 130, SH 45 N, and Loop 1 N--are part of the Central Texas Turnpike Project, which is managed by the Turnpike Authority Division of the Texas Department of Transportation (TxDOT). The Central Texas Regional Mobility Authority (CTRMA) will construct and operate new tolled facilities on certain highways. In adopting toll facilities for those facilities, the CTRMA decided not to waive or reduce tolls for any vehicles or classes of vehicles because of Section 370.177(a), Transportation Code, which states that every vehicle, except an authorized emergency vehicle, that uses a toll road without paying the toll commits a misdemeanor offense punishable by a fine not to exceed \$250.

In Central Texas, the area's leading transit provider, the Capital Area Metropolitan Transit Authority (Capital Metro), has allocated millions of dollars for right-of-way acquisition for several of the toll facility projects. To toll Capital Metro buses under these circumstances gives a number of people in the community pause. S.B. 129 would allow the debate to occur without the restriction of the existing law. The notion of tolling public school buses has also produced a negative reaction, especially given the financial constraints currently facing all school districts. Finally both public transit and public schools are funded with tax dollars. Requiring such groups to essentially transfer that tax money to another public entity defeats the intent of dedicating tax revenues to them in the first place.

As proposed, S.B. 129 permits regional mobility authorities and TxDOT to waive or reduce tolls on turnpikes under their control for public school buses and public transit vehicles.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 370.177(a), Transportation Code, as follows:

- (a) Requires, except as provided by Section 370.1771 (Exception to Toll Requirement), the operator of a vehicle that is driven or towed through a toll collection facility of a turnpike project to pay the proper toll. Deletes existing text related to emergency vehicles.

SECTION 2. Amends Subchapter E, Chapter 370, Transportation Code, by adding Section 370.1771, as follows:

Sec. 370.1771. EXCEPTION TO TOLL REQUIREMENT. (a) Provides that Section 370.177(a) does not apply to the operator of certain vehicles.

- (b) Authorizes the board of directors of a regional mobility authority to waive the requirement of the payment of a toll or to reduce a toll for certain vehicles.

SECTION 3. Effective date: September 1, 2005.