

By: Wohlgemuth

H.B. No. 3343

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the coordination of statewide public transportation by  
3 the Texas Transportation Commission and the Texas Department of  
4 Transportation.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subtitle K, Title 6, Transportation Code, is  
7 amended by adding Chapter 461 to read as follows:

8 CHAPTER 461. STATEWIDE COORDINATION OF PUBLIC TRANSPORTATION

9 Sec. 461.001. LEGISLATIVE INTENT AND CONSTRUCTION. (a)

10 Public transportation services are provided in this state by many  
11 different entities, both public and private. The multiplicity of  
12 public transportation providers has generated inefficiencies,  
13 overlaps in service, and confusion. It is the intent of this  
14 chapter to eliminate waste in the provision of public  
15 transportation services, to generate efficiencies that will permit  
16 increased levels of service, to marshal the state's efforts to  
17 reduce air pollution in major metropolitan areas, and to enable  
18 public transportation providers to share resources and costs in the  
19 public interest.

20 (b) This chapter shall be liberally construed to achieve its  
21 purposes.

22 Sec. 461.002. DEFINITIONS. In this chapter:

23 (1) "Public transportation provider" means any entity  
24 that provides public transportation services if it is a

1 governmental entity or if it receives financial assistance from a  
2 governmental entity, whether state, local, or federal. The term  
3 does not include private carriers that do not receive financial  
4 assistance from a governmental entity.

5 (2) "Public transportation services" means any  
6 conveyance of passengers and their hand-carried baggage by a  
7 governmental entity or by a private entity if the private entity  
8 receives financial assistance from any governmental entity. It  
9 includes service provided by trains, trolleys, taxicabs,  
10 commercial buses, special buses for the transportation of disabled  
11 persons, intercity buses, and school buses. It does not include  
12 intercity rail service, commercial air transportation, water  
13 transportation, or direct service to or from a point located  
14 outside this state.

15 Sec. 461.003. DUTIES OF THE TEXAS TRANSPORTATION  
16 COMMISSION. (a) The commission by rule may require any state  
17 agency that is responsible for ensuring the delivery of public  
18 transportation services to contract with the department for the  
19 department to assume all responsibilities of that agency relating  
20 to the provision of transportation services.

21 (b) The commission by rule may establish consistent  
22 accounting standards to be used by public transportation providers.

23 (c) The commission by rule may require any public  
24 transportation provider to provide detailed information on its  
25 provision of public transportation services, including revenues,  
26 routes, maps, categories of customers served, number of customers  
27 served, and equipment use and condition.

1       (d) The commission shall adopt other rules as necessary to  
2 implement this chapter.

3       Sec. 461.004. DUTIES OF THE TEXAS DEPARTMENT OF  
4 TRANSPORTATION. (a) The department shall identify overlaps in the  
5 provision of public transportation services, underutilized  
6 equipment owned by public transportation providers, and  
7 inefficiencies in the provision of public transportation services  
8 by any public transportation provider.

9       (b) The department may contract with any public  
10 transportation provider for the department to provide or arrange  
11 for the provision of public transportation services.

12       Sec. 461.005. ELIMINATION OF OVERLAPPING SERVICE

13       (a) For the purpose of eliminating waste and maximizing  
14 efficiency, the department shall encourage public transportation  
15 providers to agree among themselves on the allocation of geographic  
16 areas, routes, and categories of customers. The department may  
17 incorporate these discussions in existing planning processes,  
18 including the Statewide Transportation Improvement Program or  
19 local Transportation Improvement Plans. An agreed-upon allocation  
20 must be filed with the department in a form to be determined by the  
21 department.

22       (b) The department may require that all or a percentage of  
23 vehicles used to provide public transportation services meet  
24 specified emissions standards. The standards may vary among  
25 geographic areas based on the need of each area to reduce levels of  
26 air pollution.

27       (c) The department may issue forms to be used by public

1 transportation providers in making reports to the department.

2 Sec. 461.006. DUTIES OF PUBLIC TRANSPORTATION PROVIDERS.

3 (a) Public transportation providers shall cooperate with the  
4 department in eliminating waste and ensuring efficiency and maximum  
5 coverage in the provision of public transportation services.

6 (b) At the request of the department, public transportation  
7 providers shall agree on the allocation of geographic areas,  
8 routes, and categories of customers to eliminate waste and maximize  
9 efficiency and shall fully implement any agreement, subject to  
10 direction from the department.

11 Sec. 461.007. INCENTIVES FOR EFFICIENCY. (a)

12 Notwithstanding any other law, including laws establishing  
13 formulas for the allocation of public transportation grants, the  
14 commission may increase or reduce grants to any public  
15 transportation provider based on whether that public  
16 transportation provider is complying fully with this chapter.

17 (b) Notwithstanding any other law, the commission may  
18 consider whether public transportation providers in a geographic  
19 area are complying fully with this chapter in executing its other  
20 responsibilities regarding that area.

21 SECTION 2. Chapter 455.0015, Transportation Code, is  
22 amended by adding subsection (c) to read as follows:

23 (c) The Texas Department of Health shall contract with the  
24 department for the department to assume all responsibilities of the  
25 Texas Department of Health relating to the provision of  
26 transportation services.

27 SECTION 3. Subsection (b), Section 301.063, Labor Code, is

1 amended by adding Subdivision (5) to read as follows:

2 (b) In administering this title the commission and  
3 executive director shall:

4 (5) contract with the Texas Department of  
5 Transportation for the Texas Department of Transportation to assume  
6 all responsibilities of the commission relating to the provision of  
7 transportation services.

8 SECTION 4. Section 40.002, Human Resources Code, is amended  
9 by adding Subsection (f) to read as follows:

10 (f) The department shall contract with the Texas Department  
11 of Transportation for the Texas Department of Transportation to  
12 assume all responsibilities of the department relating to the  
13 provision of transportation services.

14 SECTION 5. Section 22.001, Human Resources Code, is amended  
15 by adding subsection (e) to read as follows:

16 (e) The department shall contract with the Texas Department  
17 of Transportation for the Texas Department of Transportation to  
18 assume all responsibilities of the department relating to the  
19 provision of transportation services.

20 SECTION 6. Section 91.021, Human Resources Code, is amended  
21 by adding subsection (g) to read as follows:

22 (d) The commission shall contract with the Texas Department  
23 of Transportation for the Texas Department of Transportation to  
24 assume all responsibilities of the commission relating to the  
25 provision of transportation services.

26 SECTION 7. Section 101.0256, Human Resources Code, is  
27 amended by renumbering the existing text as (a) and adding

1 subsection (b) to read as follows:

2 (a) The department and the Texas Department of Human  
3 Services shall develop standardized assessment procedures to share  
4 information on common clients served in a similar service region.

5 (b) The department shall contract with the Texas Department  
6 of Transportation for the Texas Department of Transportation to  
7 assume all responsibilities of the department relating to the  
8 provision of transportation services.

9 SECTION 8. Section 111.0525, Human Resources Code, is  
10 amended by adding subsection (d) to read as follows:

11 (d) The commission shall contract with the Texas Department  
12 of Transportation for the Texas Department of Transportation to  
13 assume all responsibilities of the commission relating to the  
14 provision of transportation services.

15 SECTION 9. Subsection (a), Section 461.012, Human and  
16 Safety Code, is amended by adding Subdivision (19) to read as  
17 follows:

18 (a) The commission shall:

19 (19) contract with the Texas Department of  
20 Transportation for the Texas Department of Transportation to assume  
21 all responsibilities of the commission relating to the provision of  
22 transportation services.

23 SECTION 10. Section 533.012, Health and Safety Code, is  
24 amended by renumbering the existing text as (a) and adding  
25 subsection (b) to read as follows:

26 (a) At the department's request, all state departments,  
27 agencies, officers, and employees shall cooperate with the

1 department in activities that are consistent with their functions.

2 (b) The department shall contract with the Texas Department  
3 of Transportation for the Texas Department of Transportation to  
4 assume all responsibilities of the department relating to the  
5 provision of transportation services.

6 SECTION 11. This Act takes effect immediately if it  
7 receives a vote of two-thirds of all the members elected to each  
8 house, as provided by Section 39, Article III, Texas Constitution.  
9 If this Act does not receive the vote necessary for immediate  
10 effect, this Act takes effect September 1, 2003.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

12 SECTION 1.