

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 22, 2003**

**TO:** Honorable Tom Craddick, Speaker of the House, House of Representatives

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB1208** by Lewis (Relating to the mitigation of traffic congestion on highways; providing penalties.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Transportation Code by defining certain types of lanes and providing for congestion mitigation projects including the use of toll lanes, restricted lanes, exclusive lanes, and traffic control devices on the state highway system. The bill would clarify that the Department of Transportation (TxDOT) may issue debt in addition to spending or allocating available funds for designating, designing, constructing, operating, or maintaining one or more lanes on a multi-lane highway facility as dedicated high occupancy vehicle (HOV) lanes on the state highway system. The bill would allow TxDOT to enter into agreements with transit authorities, municipalities, or transportation corporations for the design, construction, operation and maintenance of HOV lanes. The bill would allow TxDOT to enter into agreements with regional mobility authorities, certain counties, or transportation corporations to design, construct, or maintain HOV toll lanes and to charge tolls on HOV lanes upon the Texas Transportation Commission authorizing TxDOT to charge a toll. The bill would allow TxDOT to authorize motorcycles or low-emission vehicles to use HOV lanes designated under the bill regardless of the number of persons on the motorcycle or occupants in the vehicle. The bill would provide that a low emissions vehicle would be defined by standards adopted by the Texas Transportation Commission.

No significant fiscal implication to the State is anticipated because TxDOT indicates only minimal costs would be realized in implementing the provisions of the bill and it is assumed the Texas Transportation Commission would adopt standards in accordance with all federal requirements. It is also assumed that any savings and additional revenues realized in the State Highway Fund from agreements authorized by the bill would be used for other eligible transportation related expenditures.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2003.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated. It is assumed that entities entering into agreements with TxDOT in accordance with the bill for HOV lane and toll related purposes would realize revenues and costs in accordance with those agreements.

**Source Agencies:** 601 Department of Transportation, 582 Commission on Environmental Quality

**LBB Staff:** JK, SD, RR, RT, MW