

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

Revision 1

March 3, 2003

TO: Honorable Steve Ogden, Chair, Senate Committee on Infrastructure Development and Security

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB361 by Shapiro (Relating to the precedence of certain municipal highway access rules and ordinances over highway access management orders of the Texas Transportation Commission.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to prohibit the Texas Transportation Commission from adopting or enforcing an order regarding access control that is applicable to highways in a municipality and is inconsistent with a highway access rule, or ordinance, adopted by the governing body of a municipality before the effective date of the Commission order.

The Department of Transportation estimates municipalities would not maintain Federal Highway Administration requirements regarding access control on federally funded highways; that varying engineering and access management practices would be used; and that federal government would not participate in projects in areas of non-compliance. The department estimated that implementing the provisions of the bill would have no significant fiscal impact to the state because the department would be able to shift resources to other federally approved projects in the state.

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

The department estimates freeway construction would be hindered in municipalities where liberal access ordinances are in effect because the FHWA requires designated controlled access highway facilities; that transportation resources would be shifted to other projects within the state if the department cannot build controlled access highways in municipalities; and that local government economies would be impacted by effects on the construction industry and economic development.

Source Agencies: 601 Department Of Transportation

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