

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 4, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1463 by Lindsay (Relating to the conversion of a nontoll state highway to a toll facility.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to allow the Texas Transportation Commission (TTC) to convey a non-tolled state highway or a segment of a non-tolled state highway, including any real property acquired to construct or operate the highway, to a county for operation and maintenance as a project under the specifications of the bill.

The bill would require any moneys paid by the Department of Transportation (TxDOT) for the construction, maintenance, and operation of the transferred highway to be repaid to TxDOT; allow the TTC to waive all or a portion of money due for repayment; require the TTC to conduct public hearings; clarify that TxDOT would have no liability, responsibility, or duty for the maintenance or operation of a conveyed highway; allow a county to use toll revenue collected to fund an air quality or transportation project; and require the TTC to adopt necessary rules. The bill would apply to a non-tolled state highway or a segment of a non-tolled state highway that is conveyed for the purposes of creating an outer loop located primarily in a county having a population of more than 3 million.

Based on the analysis of the TxDOT, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. No significant impact to the state is anticipated because TxDOT did not identify any segments that would be converted over the next five years. It is also assumed that any savings realized from conveying a highway or a highway segment would be used for other transportation related expenditures and that any additional revenues collected from toll facilities would be used on either transportation or air quality projects.

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 fiscal impact to counties would vary depending on the size of the local entity and the type, size, and age of the highway conveyed under the provisions of the bill. It is assumed that costs to local entities for operating and maintaining a conveyed highway would be partially or totally offset by the tolls charged. Toll revenue could also be used for transportation improvement or air quality projects in the affected local areas.

Source Agencies: 601 Department of Transportation

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