

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

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

**April 22, 2003**

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

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

**IN RE: SB1782** by Lindsay (Relating to the precedence of highway access rules and ordinances of certain highly populated cities and counties over highway access management orders of the Texas Transportation Commission.), **As Introduced**

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| <b>No significant fiscal implication to the State is anticipated.</b> |
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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 located in a municipality with a population of 1.5 million or more, including a home-rule municipality, or in a county with a population of 3.3 million or more; and is inconsistent with a highway access rule, ordinance, or minute order adopted by the governing body of the municipality or county.

The Department of Transportation (TxDOT) estimates municipalities would not maintain Federal Highway Administration (FHWA) requirements regarding access control on federally funded highways; that varying engineering and access management practices would be used; and that the federal government would not participate in projects in areas of non-compliance. However, TxDOT estimates 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**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:** 601 Department of Transportation

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