

## **BILL ANALYSIS**

S.B. 129  
By: Barrientos  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The central Texas area is seeing a much-needed road construction boom funded by bonds to be repaid by future toll revenues. Three projects--State Highway 130, State Highway 45 North, and Loop 1 North--are part of the Central Texas Turnpike Project, which is managed by the Turnpike Authority Division of the Texas Department of Transportation (TxDOT). The Central Texas Regional Mobility Authority (CTRMA) will construct and operate new tolled facilities on certain highways. In adopting toll facilities for those facilities, the CTRMA decided not to waive or reduce tolls for any vehicles or classes of vehicles because of Section 370.177(a), Transportation Code, which states that every vehicle, except an authorized emergency vehicle, that uses a toll road without paying the toll commits a misdemeanor offense punishable by a fine not to exceed \$250.

In Central Texas, the area's leading transit provider, the Capital Area Metropolitan Transit Authority (Capital Metro), has allocated millions of dollars for right-of-way acquisition for several of the toll facility projects. To toll Capital Metro buses under these circumstances gives a number of people in the community pause. The notion of tolling public school buses has also produced a negative reaction, especially given the financial constraints currently facing all school districts. Finally, both public transit and public schools are funded with tax dollars.

S.B. 129 permits regional mobility authorities and TxDOT to waive or reduce tolls on turnpikes under their control for public school buses and public transit vehicles.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Section 361.252, Transportation Code, by amending Subsection (a) and adding Subsection (e), as follows:

(a) Requires the operator of a vehicle, other than an authorized emergency vehicle, that is driven or towed through a toll collection facility to pay the proper toll, except as provided by Subsection (e).

(e) Authorizes the Texas Department of Transportation, notwithstanding Subsection (a), to waive the requirement of the payment of a toll or may authorize the payment of a reduced toll for any vehicle or class of vehicles.

SECTION 2. Amends Section 370.177, Transportation Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires, except as provided by Subsection (a-1), the operator of a vehicle, other than an authorized emergency vehicle as defined by Section 541.201 (Vehicles), that is driven or towed through a toll collection facility of a turnpike project to pay the proper toll. Provides that the operator of a vehicle who drives or tows a vehicle through a toll collection facility and does not pay the proper toll commits a misdemeanor punishable by a fine not to exceed \$250.

(a-1) Authorizes the board of directors of a regional mobility authority, notwithstanding Subsection (a), to waive the requirement of the payment of a toll or authorize the payment of a reduced toll for any vehicle or class of vehicles.

SECTION 3. Effective date: September 1, 2005.

**EFFECTIVE DATE**

September 1, 2005.