

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 8, 2005

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2139 by Phillips (Relating to certain agreements by the Texas Department of Transportation involving pass-through tolls.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 222, Transportation Code, to require the Texas Department of Transportation (TxDOT) to delegate the full responsibility for design, bidding, and construction to a municipality, county, regional mobility authority, or regional tollway authority with whom TxDOT has entered into pass-through toll agreement. The bill would require the municipality, county, regional mobility authority, or regional tollway authority to meet TxDOT's design criteria, construction specifications, and contract administration procedures unless granted an exception by TxDOT.

The bill would authorize a municipality, county, regional mobility authority, or regional tollway authority to contract with a private entity to act as an agent in the design, financing, construction, maintenance, or operation of a facility under Section 222.104(b), Transportation Code, or the maintenance of a state highway converted to a toll facility under Section 222.104(c), Transportation Code, relating to pass-through toll agreements with TxDOT.

Based on the analysis of TxDOT, it is assumed the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2005.

Local Government Impact

It is assumed that costs to local governmental entities for implementing the provisions of the bill would vary depending on the size of the local entity, the size and type of projects constructed, and the nature of the pass-through toll agreements entered into with TxDOT.

Source Agencies:

LBB Staff: JOB, SR, TG