

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 12, 2005

TO: Honorable Todd Staples, Chair, Senate Committee on Transportation & Homeland Security

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

IN RE: SB1397 by Ogden (Relating to the imposition of a toll on a segment of highway for which the Texas Department of Transportation has spent public money.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend certain sections of the Transportation Code related to the designation of turnpike projects and the transfer and/or conversion of nontolled state highways for operation as turnpikes.

The bill would repeal the authority for the Texas Department of Transportation (TxDOT) to temporarily toll a nontoll segment of the state highway system for purposes of recovering the costs of preventative maintenance or rehabilitation on non-tolled projects. The bill would repeal TxDOT's authority to convert a nontolled segment of state highway to a tolled highway or to transfer any existing nontolled state highway to another entity for operation as a toll facility. The bill would prohibit TxDOT from operating a segment of highway as a turnpike project unless the segment was designated as a turnpike by the Texas Transportation Commission (TTC) prior to the award of a construction contract or was open to traffic as a toll road before September 1, 2005; or unless the construction contract for the segment was awarded before September 1, 2005, had not been open to traffic before September 1, 2005, and TTC designated the segment as a turnpike before the earlier of the date the segment is opened to traffic or September 1, 2005.

Based on the analysis of TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect on September 1, 2005.

Local Government Impact

It is assumed that costs to regional mobility authorities for participating in the creation, administration, operation, and financing of transportation systems in this state would depend on the size of the local body and the size and type of projects that are constructed. Costs associated with the bill would eventually be offset by revenue generated by tolls, fees, donations, or other sources.

Source Agencies: 301 Office of the Governor, 601 Department of Transportation

LBB Staff: JOB, SR, MW, TG, KJG