

BILL ANALYSIS

H.B. 2314
By: Gattis
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Department of Transportation (TxDOT) currently has the statutory authority to act as the agent for local governments in contracting for airport design, planning, and construction services in association with grants administered by TxDOT. TxDOT's aviation division has extensive knowledge and experience in contracting for such services. The division efficiently and effectively issues bids and proposals, makes awards, handles acquisitions, and performs all reporting duties in total compliance with federal grants requirements. The Federal Aviation Administration has commended TxDOT on its procedures.

TxDOT's services were at one time offered to all general aviation and reliever airports. However, legal counsel for TxDOT has advised the division that it may only perform these services for local governments, thereby excluding other airports in Texas that also receive federal funding. Authorizing TxDOT to act as an agent to all airports receiving federal grants would permit TxDOT to ensure compliance with federal guidelines at these airports.

H.B. 2314 amends the Transportation Code by adding that an owner of an eligible airport may designate the Texas Department of Transportation as its agent in contracting for and supervising the planning, acquiring, constructing, improving, equipping, maintaining, or operating of an airport or air navigation facility. The bill defines "eligible airport" as an airport eligible to receive federal grant funds.

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

H.B. 2314 amends the Transportation Code to make provisions relating to the designation of the Texas Department of Transportation (TxDOT) as the agent of a local government in contracting and supervising an airport also relate to the designation of TxDOT as the agent of an owner of an eligible airport. The bill defines "eligible airport" as an airport eligible to receive grant funds under the airport improvement program established under provisions of the United States Code.

EFFECTIVE DATE

September 1, 2009.