

By: Harper-Brown

H.B. No. 3395

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Transportation Legislative Oversight Committee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 6, Transportation Code, is amended by adding Chapter 205 to read as follows:

CHAPTER 205. TRANSPORTATION LEGISLATIVE OVERSIGHT COMMITTEE

Sec. 205.001. DEFINITION. In this chapter, "committee" means the Transportation Legislative Oversight Committee.

Sec. 205.002. ESTABLISHMENT; COMPOSITION. (a) The Transportation Legislative Oversight Committee is established to provide objective research, analysis, and recommendations on the operation and needs of the state transportation system.

(b) The committee is composed of six members as follows:

(1) the chair of the Senate Committee on Transportation and Homeland Security;

(2) the chair of the House Committee on Transportation;

(3) two members of the senate appointed by the lieutenant governor; and

(4) two members of the house of representatives appointed by the speaker of the house of representatives.

(c) An appointed member of the committee serves at the pleasure of the appointing official.

1 Sec. 205.003. PRESIDING OFFICER; TERM. (a) The lieutenant
2 governor and the speaker of the house of representatives shall
3 appoint the presiding officer of the committee on an alternating
4 basis.

5 (b) The presiding officer of the committee serves a two-year
6 term that expires February 1 of each odd-numbered year.

7 Sec. 205.004. POWERS AND DUTIES. (a) The committee shall:

8 (1) monitor the department's planning, programming,
9 and funding of the state transportation system;

10 (2) conduct an in-depth analysis of the state
11 transportation system that includes:

12 (A) an assessment of the cost-effectiveness of
13 the use of state, local, and private funds in the transportation
14 system;

15 (B) an identification of critical problems in the
16 transportation system, such as funding constraints; and

17 (C) a determination of the long-range needs of
18 the transportation system;

19 (3) recommend to the legislature:

20 (A) strategies to solve the problems identified
21 under Subdivision (2)(B); and

22 (B) policy priorities to address the long-range
23 needs determined under Subdivision (2)(C); and

24 (4) advise and assist the legislature in developing
25 plans, programs, and proposed legislation to improve the
26 effectiveness of the state transportation system.

27 (b) The committee has all other powers and duties provided

1 to a special committee by:

2 (1) Subchapter B, Chapter 301, Government Code;

3 (2) the rules of the senate and the house of
4 representatives; and

5 (3) policies of the senate and house committees on
6 administration.

7 Sec. 205.005. REVIEW OF RESEARCH PROGRAM. (a) The
8 department shall present the department's entire research program
9 to the committee for review and comment before adopting or
10 implementing the program.

11 (b) The committee shall review and comment on the
12 department's research program, including each of the individual
13 research projects and activities. The review of a proposed research
14 project must include an evaluation of the purpose of the project,
15 the proposed start and ending dates for the project, and the cost of
16 the project.

17 (c) The department shall provide to the committee quarterly
18 updates and an annual summary on the progress of the department's
19 research projects and activities.

20 (d) The committee may request the results of any of the
21 department's research projects, including draft reports from the
22 department or the contracted entities performing the research.

23 (e) A university transportation research program in this
24 state may:

25 (1) perform transportation research projects
26 recommended by the committee; and

27 (2) initiate and propose transportation research

1 projects to the committee.

2 (f) The committee may request assistance from a university
3 transportation research program in this state in conducting
4 transportation research and in reviewing, evaluating, and
5 comparing elements of the state transportation system to the
6 transportation systems in other states to set needed benchmarks.

7 Sec. 205.006. CONTRACT WITH CONSULTING FIRM. (a) The
8 committee may contract with an outside management consulting firm
9 that is independent of the department to make recommendations
10 regarding an effective and efficient organizational structure for
11 the department, including recommending appropriate performance
12 measurements and staffing levels for each major function of the
13 department, after review and analysis under Section 205.007.

14 (b) In performing its functions, the consulting firm shall
15 coordinate with the Legislative Budget Board, the State Auditor's
16 Office, and the department to minimize the duplication of efforts
17 and to perform cost effectively and in a timely manner.

18 (c) The committee shall:

19 (1) oversee the implementation of the recommendations
20 under this section with the goal of making the department more
21 efficient, transparent, and accountable, including through
22 reducing staff and streamlining processes; and

23 (2) assess the department's progress in implementing
24 the recommendations under this section and report on the progress
25 to the Senate Finance Committee and House Appropriations Committee
26 for consideration in establishing the department's budget as part
27 of the appropriations process.

1 Sec. 205.007. FUNCTIONS OF CONSULTING FIRM. The primary
2 functions of a management consulting firm the committee contracts
3 with under Section 205.006 include:

4 (1) evaluating the department's financial condition
5 and business practices;

6 (2) evaluating the department's administrative
7 practices and performance, including statewide transportation
8 planning, the department's relationship with metropolitan planning
9 organizations, as defined by Section 472.031, the performance of
10 the department's district and central offices, and the need for
11 standardization of the department's operations across the state;

12 (3) evaluating the current guidelines of metropolitan
13 planning organizations and all other transportation entities
14 within the state involved with project delivery or transportation
15 policy by identifying duplicative practices and providing
16 recommendations for better efficiency and transparency;

17 (4) identifying ways to streamline all processes and
18 procedures of policy implementations of the department, including
19 the environmental process;

20 (5) examining and evaluating the use and benefits of
21 performance-based maintenance contracting by the department;

22 (6) examining and presenting recommendations on how to
23 maximize the department's use of multimodal solutions;

24 (7) analyzing the department's compliance with
25 applicable laws and legislative intent;

26 (8) examining the efficient use of the department's
27 available funding, personnel, equipment, and office space;

1 (9) evaluating the establishment in statute of a state
2 pavement quality goal of having 85 percent of state roads in good or
3 better condition; and

4 (10) considering significantly expanding the use of
5 the private sector for planning, design, and delivery of projects
6 and a commitment to excellence in project and program management.

7 Sec. 205.008. MEETINGS. The committee shall meet at the
8 call of the presiding officer.

9 Sec. 205.009. STAFF; AUTHORITY TO CONTRACT. The committee
10 may hire staff or may contract with universities or other suitable
11 entities to assist the committee in carrying out the committee's
12 duties. Funding to support the operation of the committee shall be
13 provided from funds appropriated to the department.

14 Sec. 205.010. REPORT. Not later than January 1 of each
15 odd-numbered year, the committee shall submit to the legislature a
16 report that contains the recommendations described by Section
17 205.004(a)(3).

18 SECTION 2. (a) The speaker of the house of representatives
19 and the lieutenant governor shall appoint members to the
20 Transportation Legislative Oversight Committee under Chapter 205,
21 Transportation Code, as added by this Act, not later than January 1,
22 2010.

23 (b) Notwithstanding Section 205.003, Transportation Code,
24 as added by this Act, the lieutenant governor, not later than
25 January 15, 2010, shall appoint a presiding officer for the
26 Transportation Legislative Oversight Committee. The presiding
27 officer appointed by the lieutenant governor under this section

1 serves a one-year term that begins on February 1, 2010, and ends on
2 February 1, 2011.

3 SECTION 3. On the effective date of this Act:

4 (1) all employees of the Texas Department of
5 Transportation who primarily perform duties related to the
6 department's government and public affairs research section become
7 employees of the Transportation Legislative Oversight Committee
8 under Chapter 205, Transportation Code, as added by this Act; and

9 (2) all funds appropriated by the legislature to the
10 Texas Department of Transportation for purposes related to the
11 department's government and public affairs research section are
12 transferred to the Transportation Legislative Oversight Committee
13 under Chapter 205, Transportation Code, as added by this Act.

14 SECTION 4. This Act takes effect September 1, 2009.