

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 26, 2011

TO: Honorable Larry Phillips, Chair, House Committee on Transportation

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

IN RE: HB1920 by Pickett (Relating to transportation planning and funding allocations.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to create a 10-member legislative oversight committee on transportation composed of members of the House and Senate. The bill would require the Texas Transportation Commission (commission) to appoint an inspector general and would specify the responsibilities of the inspector general. The bill would amend the Transportation Code by adding new Subchapter H-1 under Chapter 201, relating to statewide transportation planning and funding allocation. The bill would amend Section 201.105, Transportation Code, to require the commission to align the boundaries of the Texas Department of Transportation (TxDOT) districts with those of the regional planning commissions created under the Local Government Code. The bill would require TxDOT's Chief Financial Officer to issue a cash flow forecast for each method and category of funding and require the commission to use the forecast to allocate funding to planning organizations, including a metropolitan planning organization (MPO) or a TxDOT district that serves an area outside the boundaries of a MPO. The bill would require funds to be deposited into subaccounts in the State Highway Fund for each region. The bill would require each planning organization to develop a financially-constrained 10-year transportation plan with a list of projects for the use of funding allocated to the region. The bill would authorize a planning organization to develop a long-range transportation plan and would require the planning organization to provide the opportunity for public comment on the plan before the plan is approved. The bill would require TxDOT to review the plans of the planning organizations to ensure compliance with federal requirements and to provide assistance to correct deficiencies. The bill would require each plan to include a component to be published annually that uses performance measures to evaluate transportation improvements. The bill would require TxDOT to use the planning organizations project lists to create the statewide transportation program and budget, a 10-year business work plan, and a biennial project plan in the manner specified by the bill. The bill would require TxDOT to develop an interactive, web-based system for the tracking of planning organization allocations and projects that is accessible to planning organizations and linked to a publicly accessible website that enables the tracking of project development and expenditures. The bill would require the TxDOT to develop a set of performance measures to evaluate the biennial work plan. The bill would authorize the commission to adopt rules to allow a planning organization to loan funds to another organization in order to avoid a lapse of federal appropriation authority. The bill would require the commission to adopt rules to create funding formulas for transportation project to be used for the allocation of funds to the planning organizations. The bill would authorize a MPO operating in a transportation management area to use the lesser of 10 percent or \$10 million of the MPO's total funds to pay for operating costs. The bill would authorize an MPO operating in an area that is not a transportation management area to the lesser of 10 percent or \$3 million of the MPO's total funds to pay for operating costs. The bill would authorize the commission to set aside an amount of funds not to exceed the lesser of \$250 million or 10 percent of the total funds allocated to all TxDOT districts to address emergencies or economic development opportunities. The bill would amend Chapter 472 of the Transportation Code to establish certain MPO membership and voting requirements in order to be eligible to receive state funding allocations.

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

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

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