

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 12, 2011

**TO:** Honorable Tommy Williams, Chair, Senate Committee on Transportation & Homeland Security

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

**IN RE: SB513** by Ellis (Relating to the accommodation of pedestrians, bicyclists, persons with disabilities, children, senior citizens, users of public transportation, movers of commercial goods, and motorists on streets and highways.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would require the Texas Department of Transportation (TxDOT) to consider the needs of various road users, including bicyclists and pedestrians, in all aspects of transportation project development, operations, and maintenance. The bill would amend the Transportation Code to require the Texas Transportation Commission (TTC) to adopt a written "complete streets policy" that provides certain guidelines for the development, construction, and maintenance of streets and highways to address the safety, accessibility, and mobility of certain road users as outlined by the bill. The bill would require TTC to ensure that planning, design, construction, reconstruction, and street and highway improvement projects comply with the policy. The bill would require a local authority, as defined by the bill, to ensure that certain projects comply with the policy if state or federal funds are used. The bill would require a metropolitan planning organization (MPO) to ensure that any transportation improvement plan complies with the policy. The bill would specify certain projects and circumstances under which the policy would not apply, including projects for which costs for compliance with the policy would be excessively disproportionate to the present or future need or probable use of the particular street or highway. The bill would require TTC or a local authority to certify that projects comply with the policy and approve any exemptions from the policy. The bill would require TTC publish a best practices report to describe how TxDOT, local authorities, and MPOs have changed their procedures to implement the policy and to list projects exempted from the policy.

Based on the analysis of TxDOT, it is assumed any costs associated with developing the complete streets policy could be absorbed within existing resources. TxDOT indicates that incorporating the policy could increase construction costs for applicable projects. Additional costs would vary depending on the policies adopted by TTC and the number and scope of applicable projects. For the purposes of this analysis, it is assumed any additional construction costs resulting from the incorporation of the new policy would be accommodated within the agency's existing highway planning and construction appropriations.

### Local Government Impact

The bill would require local authorities to comply with the complete streets policy adopted by the Texas Transportation Commission for transportation improvement projects in which federal or state funds are used. The bill would also require metropolitan planning organizations to comply with the complete streets policy to the extent consistent with federal law. Costs may be significant, but would vary depending on the policies adopted by the commission as well as the number and scope of applicable projects in a given locality.

**Source Agencies:** 601 Department of Transportation

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