

By: Anchia

H.B. No. 3849

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the enhancement of Texas' international bridges and
3 border crossings to better service international cargo and
4 passenger traffic.

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

6 SECTION 1. Section 201.612(c) is amended to read as
7 follows:

8 Section 201.612(c) In determining whether to approve
9 construction of the bridge, the commission shall consider:

10 (1) the financial resources available to the political
11 subdivision or private entity for construction of the bridge;

12 (2) whether the revenue to be generated by the bridge
13 is sufficient to finance the planning, design, construction,
14 operation, and maintenance of the bridge;

15 (3) whether the construction of the bridge is
16 consistent with the transportation plan adopted by the state and,
17 if appropriate, by the metropolitan planning organization with
18 jurisdiction over the bridge;

19 (4) the potential effect of the bridge on:

20 (A) the economy of the region in which the bridge
21 is to be located;

22 (B) the environment of the region in which the
23 bridge is to be located;

24 (C) traffic congestion and mobility; ~~and~~

1 (D) the free flow of trade between the United
2 Mexican States and this state; and

3 (E) the potential for bridge to enhance the
4 region's role in the global marketplace as a hub for international
5 freight processing and shipment, foreign direct investment,
6 manufacturing, workforce development, and a contributor to the
7 state's competitiveness in the global marketplace;

8 (5) commitments from the appropriate jurisdictions of
9 the United Mexican States to provide adequate approach roadways to
10 the bridge~~[]~~; and

11 (6) Cost savings, accelerated project delivery, new
12 capital resources, leveraging opportunities, operational
13 efficiencies, technology enhancements and other benefits that
14 could be obtained through the use of a public-private partnership
15 financing arrangement.

16 SECTION 2. Subchapter A, Chapter 201, Transportation Code,
17 is amended by adding Section 201.623 to read as follows:

18 Sec. 201.623. TEXAS SUPERPORTS PROGRAM. (a) In this
19 section, "program" means the Texas Superports Program.

20 (b) An interagency, public-private sector work group
21 entitled the Texas Superports Work Group is created to consult
22 upon, develop, adopt an action plan for, and fund the program,
23 including:

24 (1) develop or update a process to allow agencies and
25 business to work together to identify the key emerging global
26 markets for Texas products and services, and inbound foreign
27 investment in Texas businesses, and collaborate to identify

1 improvements to Texas' bridges and border crossings on the Mexican
2 border to better serve international commerce;

3 (2) consult with local governments, educational
4 institutions, economic development and metropolitan planning
5 organizations, workforce development agencies, small business
6 agencies, chambers of commerce, trade associations, and other
7 stakeholders, to elicit recommendations on a potential
8 enhancements to infrastructure, services, technologies and other
9 development to improve the speed, safety and efficiency of cargo
10 and passenger processing at the Texas-Mexico border;

11 (3) consult with the top industry users of
12 Texas-Mexico bridge and border crossings, including Texas-Mexico
13 border area automobile manufacturers, maquiladora operators,
14 freight forwarders, and other businesses active in the region, and
15 elicit recommendations on potential systemwide improvements that
16 could heighten the entire Texas-Mexico border region's capacity to
17 compete with other global regions for trade and investment; and

18 (4) Establish a "Texas Superports Fund," and criteria
19 and a procedure through which a facility may secure certification
20 as a "Texas Global Seaport," entitling the facility to apply for
21 funding for consulting and other services to support efforts to
22 market and promote the Superport in the international market.

23 (c) The task force shall meet at least once quarterly to
24 report on results of their consultations, new international
25 partnerships, and best practices and case studies from other
26 states, provinces and nations.

27 (d) No later than December 31, 2014, the Task Force shall

1 publish its findings and strategic recommendations, including
2 selected case studies from other nations, and a strategic plan to
3 boost trade volumes served at Texas bridges and border crossings by
4 20% by the year 2025.

5 (e) In fulfilling its duties, the task force shall consider
6 opportunities to collaborate with the federal government,
7 including the U.S. Department of and other federal government
8 departments, and the effect of federal policies, including trade
9 agreements, upon Texas' bridges and border crossings.

10 SECTION 3. Sec. 364.001, Transportation Code, is amended to
11 read as follows:

12 Sec. 364.001. (a) A county bordering the Rio Grande, acting
13 through the commissioners court of the county, as a part of its road
14 and bridge system may acquire a toll bridge by any method, including
15 by:

- 16 (1) construction; ~~or~~
17 (2) public-private partnership agreement; or
18 (2) purchase of an entire toll bridge or only that part
19 of the toll bridge that is located in this state.

20 SECTION 4. Sec. 364.004, Transportation Code, is amended to
21 read as follows:

22 Sec. 364.004. (a) A county may enter into and make payments
23 under an agreement with a private entity or another governmental
24 entity to acquire, construct, finance, maintain, or operate a toll
25 bridge, including an international toll bridge, and a private or
26 governmental entity in this state may enter into an agreement with a
27 county for that purpose.

1 (b) In connection with or in support of an agreement entered
2 into under Subsection (a), the county may enter into a lease, an
3 operating agreement, a service agreement, a license agreement, a
4 franchise agreement, public-private partnership, or a similar
5 agreement with a private entity or another governmental entity.

6 SECTION 5. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.