

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 18, 2013**

**TO:** Honorable Larry Phillips, Chair, House Committee On Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB562** by Gonzalez, Naomi (Relating to the suspension of toll collection during a declared state of disaster; suspending tolls.), **As Introduced**

**The bill would result in an indeterminate revenue loss and cost to the State depending on the timing, location, and duration of a declared state of disaster.**

The bill would amend Chapter 228 of the Transportation Code to prohibit the collection of tolls on a toll project operating under the provisions Chapter 228 while a Governor's declaration of a state of disaster is in effect if the toll project is located in the area designated by the executive order or proclamation declaring the state of disaster. The bill would take effect on September 1, 2013.

The Texas Department of Transportation (TxDOT) reports that the average daily toll revenue from four toll facilities operated by TxDOT ranged from \$1,950 per day on Loop 49 in Tyler to \$207,000 per day on the Central Texas Turnpike System (CTTS) in fiscal year (FY) 2012. Revenue from the CTTS (approximately \$76 million in FY 2012) is deposited outside the State Treasury; revenue from other TxDOT-operated facilities (approximately \$2.3 million in FY 2012) is deposited to the State Highway Fund. Because the timing, location, and duration of a declared state of disaster are unknown, the potential revenue loss from the suspension of toll collections cannot be determined.

Although revenue and operating funds for the CTTS are held outside the State Treasury, TxDOT provides money from the State Highway Fund to support CTTS maintenance and operations (M&O) if CTTS revenue and operating funds are insufficient to accommodate CTTS debt service expenses and M&O costs. Therefore, the provisions of the bill could result in an indeterminate increase in costs to the State Highway Fund to support CTTS M&O depending on the amount of CTTS revenue that could be lost due to the suspension of toll collections during a declared disaster.

**Local Government Impact**

There could be a savings to a local governmental entity that would not be required to pay a toll during a declared state of disaster that would vary significantly depending on whether a tollway was located in the area of the declared disaster, and the number of local governmental entities that would access the tollway that would be exempted from the toll.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, MW, TG, TP