

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

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 28, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB13** by Pickett (Relating to categories of and funding allocation for transportation projects by the Texas Department of Transportation and local transportation entities. ), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB13, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2017.

However, there would be an estimated revenue loss of (\$32,206,000) to Regional Trauma Account 5137 in the 2016-17 biennium.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2016	\$0
2017	\$0
2018	\$0
2019	\$0
2020	\$0

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Revenue Gain/(Loss) from Regional Trauma Account 5137</b>	<b>Probable Revenue Gain/(Loss) from Local Authorities</b>
2016	(\$16,103,000)	(\$16,103,000)
2017	(\$16,103,000)	(\$16,103,000)
2018	(\$16,103,000)	(\$16,103,000)
2019	(\$16,103,000)	(\$16,103,000)
2020	(\$16,103,000)	(\$16,103,000)

## **Fiscal Analysis**

The bill would amend the Transportation Code to require the Texas Department of Transportation (TxDOT) to initiate a process to review and update the funding categories and formulas adopted by the Texas Transportation Commission (TTC) for the Unified Transportation Program (UTP). The bill would require TxDOT to seek the input of metropolitan planning organizations (MPO) and TxDOT districts in the review process and to convene meetings to facilitate discussions among the planning organizations to achieve a consensus recommendation regarding updated UTP categories and formulas. The bill would require the TTC to adopt rules updating the categories and funding formulas no later than May 1, 2016. The bill would require each MPO, and applicable TxDOT districts for areas outside the boundaries of a MPO, to develop a 10-year plan for the use of funding allocated to the region. The bill would require chief financial officer of TxDOT to prepare and publish 10-year cash flow projection to identify transportation project funding, commitments, and allocations. The bill would require the TTC to hold a public hearing prior to the transfer of funds between categories in the UTP.

The bill would amend the Transportation Code to prohibit TxDOT from operating as a toll lane or transferring to another entity for operation as a toll lane a high occupancy vehicle (HOV) lane that is part of U.S. Highway 75 that was open to traffic as a HOV lane on May 1, 2005.

The bill would amend the Transportation, Government, and Local Government Codes relating to the authority of a local governing body to impose a civil penalty for certain violations recorded by a traffic camera.

The bill would amend Section 542.2035 of the Transportation Code to prohibit a local government authority from implementing or operating an automated traffic control system for a purpose other than collecting or enforcing a toll.

The bill would re-title Chapter 707 of the Transportation Code to "Photographic Traffic Signal Enforcement System Prohibited", and amend the definition of photographic traffic signal enforcement system. The bill would add Section 707.0015 excepting photographic toll traffic enforcement from the provisions of this chapter.

The bill would add Section 707.020 prohibiting the state or any political subdivision of the state from issuing a civil or criminal charge or citation for a violation based on a recorded image produced by a photographic traffic signal enforcement system.

The bill would amend Section 27.031(a) of the Government Code to remove cases arising under Chapter 707 of the Transportation Code, regarding photographic traffic signals, from the cases for which a justice court has original jurisdiction.

The bill would amend Section 133.004 of the Local Government Code to remove civil fees collected by a local authority for compliance with a traffic control signal from the civil fees to which this chapter applies.

The bill would repeal Section 29.003(g) of the Government Code, and Sections 542.405, 542.406, 544.012, and certain sections of Chapter 707 of the Transportation Code.

The bill would take effect immediately upon receiving two-thirds votes in both houses; otherwise, it would take effect September 1, 2015.

## **Methodology**

Currently 50 percent of the fines collected for traffic violations relating to traffic cameras are deposited to the credit of GR Account 5137-Regional Trauma, and the remaining collections are used by local authorities to fund traffic safety programs. The estimated fiscal impacts were based on the *2016-17 Biennial Revenue Estimate*.

Based on the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill related to transportation funding and highways could be absorbed within the agency's existing resources.

## **Local Government Impact**

The revenue loss to each affected local government entity would vary depending on the number of systems in place and the number of traffic violations enforced through the photographic system.

**Source Agencies:** 304 Comptroller of Public Accounts, 601 Department of Transportation

**LBB Staff:** UP, AG, NV, TG