

By: Sanford

H.B. No. 1903

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of toll project revenue for air quality
3 projects.

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

5 SECTION 1. Section 228.0055(a), Transportation Code, is
6 amended to read as follows:

7 (a) Payments, project savings, refinancing dividends, and
8 any other revenue received by the commission or the department
9 under a comprehensive development agreement shall be used by the
10 commission or the department to finance the construction,
11 maintenance, or operation of transportation projects [~~or air~~
12 ~~quality projects~~] in the region.

13 SECTION 2. Section 228.006(a), Transportation Code, is
14 amended to read as follows:

15 (a) The commission shall authorize the use of surplus
16 revenue of a toll project or system to pay the costs of a highway or
17 other transportation project [~~, highway project, or air quality~~
18 ~~project~~] within a region in which any part of the toll project is
19 located.

20 SECTION 3. Section 228.109(d), Transportation Code, is
21 amended to read as follows:

22 (d) Notwithstanding Subsection (c), surplus revenue may be
23 used for a transportation [~~or air quality~~] project as authorized by
24 Section 228.006.

1 SECTION 4. Section 370.003(14), Transportation Code, is
2 amended to read as follows:

3 (14) "Transportation project" means:

4 (A) a turnpike project;

5 (B) a system;

6 (C) a passenger or freight rail facility,

7 including:

8 (i) tracks;

9 (ii) a rail line;

10 (iii) switching, signaling, or other
11 operating equipment;

12 (iv) a depot;

13 (v) a locomotive;

14 (vi) rolling stock;

15 (vii) a maintenance facility; and

16 (viii) other real and personal property
17 associated with a rail operation;

18 (D) a roadway with a functional classification
19 greater than a local road or rural minor collector;

20 (D-1) a bridge;

21 (E) a ferry;

22 (F) an airport, other than an airport that on
23 September 1, 2005, was served by one or more air carriers engaged in
24 scheduled interstate transportation, as those terms were defined by
25 14 C.F.R. Section 1.1 on that date;

26 (G) a pedestrian or bicycle facility;

27 (H) an intermodal hub;

1 (I) an automated conveyor belt for the movement
2 of freight;

3 (J) a border crossing inspection station,
4 including:

5 (i) a border crossing inspection station
6 located at or near an international border crossing; and

7 (ii) a border crossing inspection station
8 located at or near a border crossing from another state of the
9 United States and not more than 50 miles from an international
10 border;

11 (K) [~~an air quality improvement initiative;~~
12 [~~(I)~~] a public utility facility;

13 (L) [~~(M)~~] a transit system;

14 (M) [~~(M-1)~~] a parking area, structure, or
15 facility, or a collection device for parking fees;

16 (N) if applicable, projects and programs listed
17 in the most recently approved state implementation plan for the
18 area covered by the authority, including an early action compact;

19 (O) improvements in a transportation
20 reinvestment zone designated under Subchapter E, Chapter 222; and

21 (P) port security, transportation, or facility
22 projects eligible for funding under Section 55.002.

23 SECTION 5. Subchapter A, Chapter 372, Transportation Code,
24 is amended by adding Section 372.002 to read as follows:

25 Sec. 372.002. PROHIBITION ON USE OF TOLL REVENUE FOR AIR
26 QUALITY PROJECTS. A toll project entity may not use toll revenue
27 for projects that are intended solely to mitigate or prevent air

1 pollution or other adverse environmental impacts.

2 SECTION 6. Section 228.001(1), Transportation Code, is
3 repealed.

4 SECTION 7. This Act takes effect September 1, 2017.