

By: Simmons

H.B. No. 3825

A BILL TO BE ENTITLED

AN ACT

relating to the application for federal highway and rail funds by a regional mobility authority.

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

SECTION 1. Section 370.033(a), Transportation Code, is amended to read as follows:

(a) An authority, through its board, may:

(1) adopt rules for the regulation of its affairs and the conduct of its business;

(2) adopt an official seal;

(3) study, evaluate, design, finance, acquire, construct, maintain, repair, and operate transportation projects, individually or as one or more systems, provided that a transportation project that is subject to Subpart C, 23 C.F.R. Part 450, is:

(A) included in the plan approved by the applicable metropolitan planning organization; and

(B) consistent with the statewide transportation plan and the statewide transportation improvement program;

(4) acquire, hold, and dispose of property in the exercise of its powers and the performance of its duties under this chapter;

(5) enter into contracts or operating agreements with a similar authority, another governmental entity, or an agency of

1 the United States, a state of the United States, the United Mexican
2 States, or a state of the United Mexican States;

3 (6) enter into contracts or agreements necessary or
4 incidental to its powers and duties under this chapter;

5 (7) cooperate and work directly with property owners
6 and governmental entities and officials to support an activity
7 required to promote or develop a transportation project;

8 (8) employ and set the compensation and benefits of
9 administrators, consulting engineers, attorneys, accountants,
10 construction and financial experts, superintendents, managers,
11 full-time and part-time employees, agents, consultants, and other
12 persons as the authority considers necessary or useful;

13 (8-a) participate in the state travel management
14 program administered by the comptroller for the purpose of
15 obtaining reduced airline fares and reduced travel agent fees,
16 provided that the comptroller may charge the authority a fee not to
17 exceed the costs incurred by the comptroller in providing services
18 to the authority;

19 (9) notwithstanding Sections [221.003](#) and [222.031](#) and
20 subject to Subsection [~~Subsections (j) and~~] (m), apply for,
21 directly or indirectly receive and spend loans, gifts, grants, and
22 other contributions for any purpose of this chapter, including the
23 construction of a transportation project, and receive and spend
24 contributions of money, property, labor, or other things of value
25 from any source, including the United States, a state of the United
26 States, the United Mexican States, a state of the United Mexican
27 States, the commission, the department, a subdivision of this

1 state, or a governmental entity or private entity, to be used for
2 the purposes for which the grants, loans, or contributions are
3 made, and enter into any agreement necessary for the grants, loans,
4 or contributions;

5 (10) install, construct, or contract for the
6 construction of public utility facilities, direct the time and
7 manner of construction of a public utility facility in, on, along,
8 over, or under a transportation project, or request the removal or
9 relocation of a public utility facility in, on, along, over, or
10 under a transportation project;

11 (11) organize a corporation under Chapter 431 for the
12 promotion and development of transportation projects;

13 (12) adopt and enforce rules not inconsistent with
14 this chapter for the use of any transportation project, including
15 tolls, fares, or other user fees, speed and weight limits, and
16 traffic and other public safety rules, provided that an authority
17 must consider the same factors that the Texas Turnpike Authority
18 division of the department must consider in altering a prima facie
19 speed limit under Section 545.354;

20 (13) enter into leases, operating agreements, service
21 agreements, licenses, franchises, and similar agreements with a
22 public or private party governing the party's use of all or any
23 portion of a transportation project and the rights and obligations
24 of the authority with respect to a transportation project;

25 (14) borrow money from or enter into a loan agreement
26 or other arrangement with the state infrastructure bank, the
27 department, the commission, or any other public or private entity;

1 and

2 (15) do all things necessary or appropriate to carry
3 out the powers and duties expressly granted or imposed by this
4 chapter.

5 SECTION 2. Section 370.033(j), Transportation Code, is
6 repealed.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2017.