

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 11, 2017**

**TO:** Honorable Geanie W. Morrison, Chair, House Committee on Transportation

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

**IN RE: HB3445** by Davis, Yvonne (Relating to the creation of the state safety oversight program for rail fixed guideway public transportation systems.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Chapter 455 of the Transportation Code to require the Texas Department of Transportation (TxDOT) implement a state safety oversight program for rail fixed guideway public transportation systems in Texas in accordance with 49 U.S.C. Section 5329. The bill would require TxDOT to investigate and enforce the safety of rail fixed guideway public transportation systems and coordinate enforcement responsibilities with other governmental entities as needed. The bill would require TxDOT, in consultation with the Federal Transit Administration, to determine an appropriate staffing level for the state safety oversight program. The bill would require TxDOT to audit public transportation agency compliance with federally required safety plans and provide an annual status report on safety of the state's rail fixed guideway public transportation systems. The bill would require the Texas Transportation Commission to adopt rules to implement the program no later than March 1, 2019. The bill would repeal Transportation Code §455.005, which establishes TxDOT's current rail fixed guideway mass transportation system safety oversight program.

TxDOT indicates that the bill would add investigation and enforcement authority to its current state safety oversight program responsibilities in accordance with current federal laws and regulations. TxDOT receives federal grant funding at an 80-20 federal/state match to fund the administration of the current state safety oversight program. Based on LBB's analysis of the information provided by TxDOT, it is assumed any additional costs or duties associated with implementing the bill could be absorbed within the agency's current resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

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