

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Israel

H.B. No. 1764

A BILL TO BE ENTITLED

AN ACT

relating to the operation of metropolitan rapid transit  
authorities.

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

SECTION 1. Section 451.133(a), Transportation Code, is  
amended to read as follows:

(a) An authority may not spend for capital improvements  
money in excess of the total amounts [~~amount~~] allocated for major  
capital expenditures in the current and preceding annual budget of  
the authority [~~budget~~].

SECTION 2. Sections 451.455(h) and (i), Transportation  
Code, are amended to read as follows:

(h) The number of accidents per 100,000 miles is computed by  
multiplying the annual number of accidents by 100,000 and dividing  
the product by the number of miles for all service, including  
charter and nonrevenue service, [~~directly operated by the~~  
~~authority~~] for the same period. In this subsection, "accident"  
includes:

(1) a collision that involves an authority's revenue  
vehicle, other than a lawfully parked revenue vehicle, and that  
results in property damage, injury, or death; and

(2) an incident that results in the injury or death of  
a person on board or boarding or alighting from an authority's  
revenue vehicle.

1           (i) The number of miles between mechanical road calls is  
2 computed by dividing the annual number of miles for all service  
3 [~~directly operated by an authority~~], including charter and  
4 nonrevenue service, by the number of mechanical road calls for the  
5 same period. In this subsection, "mechanical road call" means an  
6 interruption in revenue service that is caused by revenue vehicle  
7 equipment failure that requires assistance from a person other than  
8 the vehicle operator before the vehicle can be operated normally.

9           SECTION 3. This Act takes effect September 1, 2017.

# ADOPTED

MAY 22 2017

*Atty. Gen.*  
Secretary of the Senate

By: Israd/Watson

H.B. No. 1744

Substitute the following for H.B. No. 1744:

By: Bob Hall

C.S. H.B. No. 1744

## A BILL TO BE ENTITLED

1 AN ACT

2 relating to the operation of metropolitan rapid transit  
3 authorities.

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

5 SECTION 1. Section 451.110(c), Transportation Code, is  
6 amended to read as follows:

7 (c) Subsection (a) does not apply to a contract for:

8 (1) an amount less than or equal to the simplified  
9 acquisition threshold as defined by the Federal Acquisition  
10 Regulation (48 C.F.R. Section 2.101) or a successor regulation  
11 [\$50,000 or less];

12 (2) the purchase of real property;

13 (3) personal or professional services; or

14 (4) the acquisition of an existing transit system.

15 SECTION 2. Section 451.111(a), Transportation Code, is  
16 amended to read as follows:

17 (a) Except as provided by Subchapter Q, unless the posting  
18 requirement in Subsection (b) is satisfied, a board may not let a  
19 contract that is:

20 (1) for more than the simplified acquisition threshold  
21 as defined by the Federal Acquisition Regulation (48 C.F.R. Section  
22 2.101) or a successor regulation ~~[\$50,000]~~; and

23 (2) for:

24 (A) the purchase of real property; or

1 (B) consulting or professional services.

2 SECTION 3. Section 451.133(a), Transportation Code, is  
3 amended to read as follows:

4 (a) An authority may not spend for capital improvements  
5 money in excess of the total amounts [~~amount~~] allocated for major  
6 capital expenditures in the current and preceding annual budgets of  
7 the authority [~~budget~~].

8 SECTION 4. Section 451.362, Transportation Code, is amended  
9 by amending Subsection (a) and adding Subsection (e) to read as  
10 follows:

11 (a) Notwithstanding other provisions of this chapter and  
12 except as provided by Subsections (c), [~~and~~] (d), and (e), the  
13 board, by order or resolution, may issue bonds that are secured by  
14 revenue or taxes of the authority if the bonds:

15 (1) have a term of not more than 12 months; and

16 (2) are payable only from revenue or taxes received on  
17 or after the date of their issuance and before the end of the fiscal  
18 year following the fiscal year in which the bonds are issued.

19 (e) In an authority confirmed before July 1, 1985, in which  
20 the principal municipality has a population of less than one  
21 million, bonds may have a term of not more than 15 years. The bonds  
22 are payable only from revenue received on or after the date the  
23 bonds are issued.

24 SECTION 5. Sections 451.455(h) and (i), Transportation  
25 Code, are amended to read as follows:

26 (h) The number of accidents per 100,000 miles is computed by  
27 multiplying the annual number of accidents by 100,000 and dividing

1 the product by the number of miles for all service, including  
2 charter and nonrevenue service, [~~directly operated by the~~  
3 ~~authority~~] for the same period. In this subsection, "accident"  
4 includes:

5 (1) a collision that involves an authority's revenue  
6 vehicle, other than a lawfully parked revenue vehicle, and that  
7 results in property damage, injury, or death; and

8 (2) an incident that results in the injury or death of  
9 a person on board or boarding or alighting from an authority's  
10 revenue vehicle.

11 (i) The number of miles between mechanical road calls is  
12 computed by dividing the annual number of miles for all service  
13 [~~directly operated by an authority~~], including charter and  
14 nonrevenue service, by the number of mechanical road calls for the  
15 same period. In this subsection, "mechanical road call" means an  
16 interruption in revenue service that is caused by revenue vehicle  
17 equipment failure that requires assistance from a person other than  
18 the vehicle operator before the vehicle can be operated normally.

19 SECTION 6. This Act takes effect September 1, 2017.

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

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

**May 23, 2017**

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

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

**IN RE: HB1764** by Israel (Relating to the operation of metropolitan rapid transit authorities.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SD, AG, GG, BM

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

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

**May 18, 2017**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

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

**IN RE: HB1764** by Israel (Relating to the operation of metropolitan rapid transit authorities.),  
**Committee Report 2nd House, Substituted**

<p><b>No fiscal implication to the State is anticipated.</b></p>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, AG, GG, BM

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

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

**May 12, 2017**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

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

**IN RE: HB1764** by Israel (Relating to the operation of metropolitan rapid transit authorities.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, AG, GG, BM

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

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

**May 1, 2017**

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

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

**IN RE: HB1764** by Israel (Relating to the operation of metropolitan rapid transit authorities.),  
**Committee Report 1st House, Substituted**

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

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, AG, GG, BM

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

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

**April 19, 2017**

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

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

**IN RE: HB1764** by Israel (Relating to computation of certain performance indicators by metropolitan rapid transit authorities.), **As Introduced**

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

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, AG, GG, BM