

AN ACT

relating to the development and operation of an aerial cable car or aerial tramway by a regional mobility authority created by a municipality.

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

SECTION 1. Sections 370.003(8) and (14), Transportation Code, are amended to read as follows:

(8) "Governmental entity" means a political subdivision of the state, including a municipality or a county, a political subdivision of a county, a group of adjoining counties, a district organized or operating under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, the department or another state agency, a rail district, a transit authority, a nonprofit corporation, including a transportation corporation, that is created under Chapter 431, or any other public entity or instrumentality.

(14) "Transportation project" means:

- (A) a turnpike project;
- (B) a system;
- (C) a passenger or freight rail facility, including:
 - (i) tracks;
 - (ii) a rail line;
 - (iii) switching, signaling, or other

1 operating equipment;

2 (iv) a depot;

3 (v) a locomotive;

4 (vi) rolling stock;

5 (vii) a maintenance facility; and

6 (viii) other real and personal property

7 associated with a rail operation;

8 (D) a roadway with a functional classification

9 greater than a local road or rural minor collector;

10 (D-1) a bridge;

11 (E) a ferry;

12 (F) an airport, other than an airport that on

13 September 1, 2005, was served by one or more air carriers engaged in

14 scheduled interstate transportation, as those terms were defined by

15 14 C.F.R. Section 1.1 on that date;

16 (G) a pedestrian or bicycle facility;

17 (H) an intermodal hub;

18 (I) an automated conveyor belt for the movement

19 of freight;

20 (J) a border crossing inspection station,

21 including:

22 (i) a border crossing inspection station

23 located at or near an international border crossing; and

24 (ii) a border crossing inspection station

25 located at or near a border crossing from another state of the

26 United States and not more than 50 miles from an international

27 border;

1 (K) an air quality improvement initiative;

2 (L) a public utility facility;

3 (M) a transit system;

4 (M-1) a parking area, structure, or facility, or
5 a collection device for parking fees;

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

9 (O) improvements in a transportation
10 reinvestment zone designated under Subchapter E, Chapter 222; ~~and~~

11 (P) port security, transportation, or facility
12 projects eligible for funding under Section 55.002; and

13 (Q) an aerial cable car or aerial tramway for the
14 transportation of persons or property, or both, that is located in
15 the jurisdiction of an authority created under Section 370.031(c).

16 SECTION 2. The heading to Section 370.303, Transportation
17 Code, is amended to read as follows:

18 Sec. 370.303. AGREEMENTS BETWEEN AUTHORITY AND ~~LOCAL~~
19 GOVERNMENTAL ENTITIES.

20 SECTION 3. Section 370.303(b-1), Transportation Code, is
21 amended to read as follows:

22 (b-1) An agreement under Subsection (a) or (b) may include a
23 means for a ~~local~~ governmental entity to pledge or otherwise
24 provide funds for a transportation project that benefits the
25 governmental entity to be developed by the authority.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

S.B. No. 2248

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 2248 passed the Senate on
May 15, 2019, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 2248 passed the House on
May 22, 2019, by the following vote: Yeas 120, Nays 24, two
present not voting.

Chief Clerk of the House

Approved:

Date

Governor