

Senate OKs transportation bill that allows some counties to ask voters for higher taxes

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AUSTIN – Plans to raise hundreds of millions of dollars for transportation projects in North Texas progressed Monday night as the Senate approved a massive transportation bill that gives counties authority to ask voters to endorse higher gas taxes or other fees.

The bill, approved 22-9, would also end the state's authority to create privately operated and financed toll roads, though that provision could easily be changed, or even eliminated, before the bill becomes law.

A version of the bill passed this month by the House does not include the tax proposal, a fact that could spell trouble for the entire bill. The House bill would impose far more changes on the Texas Department of Transportation. The chambers will have to negotiate a compromise on the bill.

An amendment to kill red-light cameras in Texas also passed 16-15, but was later withdrawn after two senators changed their minds. The House had already voted to kill the cameras, which several Dallas-area cities use.

The local tax provision would let counties in Texas' five largest metropolitan areas call tax elections as soon as 2010. Voters would be asked to approve a range of new fees and taxes, possibly including a 10-cent per gallon fuel tax increase.

Dallas-area planners have said their first priority for the new funds, which could total \$500 million or more per year, will be to expand suburban rail lines, though legal hurdles to using all of the new funds for that purpose must still be cleared.

Federal laws require Dallas-Fort Worth to have a plan to reduce air pollution or else lose its federal highway funding.

North Richland Hills Mayor Oscar Trevino said rail plans already included in the North Texas building plans are essential to satisfying those requirements.

"Without funding for the rail, we cannot conform to the plan we are being mandated to conform to," said Trevino, a member and former chairman of the Regional Transportation Council for North Texas.

Still, the provision drew opposition in the Senate. Sen. Dan Patrick, R-Houston, said its inclusion could kill the bill. "This part of the bill could lead to a veto, and that would bring down this entire bill," Patrick said.

Senators stood with the chief sponsor of the local-option tax, Republican Sen. John Carona of Dallas, voting 24-7 to keep the tax option in the larger transportation bill.

In the Senate version of the bill, the Texas Department of Transportation would retain its current governance structure – comprising five commissioners appointed by the governor – and its authority to have the biggest say over which roads will be built and when.

The Senate bill would reduce transportation commissioners' terms from six years to two, however.

By contrast, the House would sharply reduce the powers of the transportation department and create elected commissioners who would run it.