

Texas Attorney General Greg Abbott refuses to OK North Texas tollway contract

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Texas Attorney General Greg Abbott has refused to sign off on the first of two major private toll road projects approved for North Texas earlier this year.

Abbott said provisions in the contract with the Spanish firm Cintra, which is slated to build the North Tarrant Express in Fort Worth and the mid-cities, violate the Texas Constitution and must be amended.

State law gives Abbott the power to hold up the contracts indefinitely if they are not "legally sufficient."

Negotiations between his office and the department have already extended for weeks beyond an initial 60-day deadline.

Cintra has agreed to spend billions in North Texas to build the North Tarrant Express toll road and to rebuild the LBJ Freeway.

But in return, the state department of transportation has pledged more than \$1 billion in tax dollars toward the projects. As a result, main lanes on both highways will be free, but Cintra will collect tolls for 52 years on adjacent lanes.

The LBJ Freeway contract has not yet been reviewed, but it is likely to be saddled with the same legal issues.

Abbott said the department's contract for the North Tarrant Express obligates the state to pay \$740 million over several years to Cintra.

"The Texas Constitution says that one Legislature cannot financially bind a future Legislature," he said.

The contract must be amended to reflect that any promises for payment are subject to discretion of future sessions of the Legislature, Abbott said.

Any provision that leaves payments from the state subject to future action by the Legislature could give Cintra pause.

TxDOT continues to work to meet Abbott's objections and to settle on terms agreeable to Cintra, spokesman Chris Lippincott said.

