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Transportation overhaul bill clears Senate

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AUSTIN — The Senate has endorsed a local-option transportation funding plan embraced by North Texas leaders as part of its approval of massive legislation to direct state transportation policy over the next four years.

The 22-9 vote Monday put Fort Worth, Arlington and other Tarrant County cities closer to a long-sought goal of financing billions of dollars in road and rail projects. But supporters face more challenges as the legislation moves into the hands of a House-Senate conference committee with seven days left in the 2009 session.

Originally a standalone bill, the local-option funding plan was merged into legislation to restructure the state's massive transportation bureaucracy and continue the Transportation Department for another four years.

The Senate-passed measure differs significantly from the House bill, setting up an unpredictable confrontation between conferees charged with reconciling the differences.

In its current form, SB 855 could allow counties in up to five of the state's largest urban areas to call elections to consider local funding sources to finance road or rail projects. Three funding options would be available to county commissioners to put on the ballot: a gasoline tax of up to 10 cents a gallon, a mobility improvements fee of up to \$60 and a driver's license renewal fee.

Senators initially joined the House in accepting an amendment that would phase out red-light cameras. But they then voted to reconsider, and Sen. Mike Jackson, R-La Porte, withdrew his amendment calling for the phaseout.

Local option survives

Supporters beat back efforts to strip the local-option feature from the bill, voting 24-7 to defeat an amendment by Sen. Dan Patrick, R-Houston. Sen. Jane Nelson, R-Flower Mound, supported Patrick, while the other two senators who represent Tarrant County — Chris Harris, R-Arlington, and Wendy Davis, D-Fort Worth — voted to keep the local-option plan.

Nelson, who also opposed the local-option bill when it first passed the Senate, said the combined bill is "lighting up like a Christmas tree." But Sen. John Carona, R-Dallas, chairman of the Senate Transportation and Homeland Security Committee and sponsor of SB 855, defended the local-funding provision as a "voluntary tool" that local governments can use to finance much-needed projects.

The provision likely faces further opposition in the conference committee. Rep. Linda Harper-Brown, R-Irving, co-sponsor of the House bill, called it a "potential deal breaker."

North Texas leaders warn that failing to address worsening traffic congestion and pollution could harm the economy of the nation's fourth-most-populous region. The local-option plan, unveiled in mid-February, is designed to finance road projects and up to 251 miles in regional commuter rail.

But a proposed constitutional amendment needed to allow gasoline tax money to be used for rail projects appears in danger of dying in the Legislature. Backers of the bill say that development doesn't seriously impair their plans, explaining that they could temporarily delay the start of the rail projects or begin funding them with revenue raised through the driver's license and mobility fees.

House, Senate differ

The Senate bill is considered to be less strict on the Transportation Department than the House measure, which called for toughened oversight to roll back what House members contend is a steady expansion of power within the agency. House members called for an elected statewide commissioner to make the agency more accountable to the public. The Senate would retain the five-member appointed Transportation Commission but would reduce the length of terms to two years from six.

The measure also calls for a legislative oversight committee and would require the department to develop a statewide transportation plan and a project information system online, and would create a Department of Motor Vehicles. In one key provision, the measure would repeal the Trans-Texas Corridor, a proposal by Gov. Rick Perry to build a \$184 billion network of toll roads over the next 50 years.

The Transportation Department had a budget of \$17.5 billion for the 2008-09 biennium, much of which was devoted to planning, building and maintaining roads and bridges, according to the House Research Organization. The department has a staff of 14,500 in its Austin headquarters and 25 district offices.

Bill highlights Legislation that would allow county elections to fund local transportation projects has been continually revised since it was introduced at the outset of the session. Here's a closer look at the latest proposal, which is part of a Senate measure overhauling the Texas Transportation Department.

First, a term you need to know: Metropolitan Planning Organizations. They are planning regions in the state's 25 urban areas, encompassing about 85 percent of the population. Some MPOs cover more than one county.

The Texas Transportation Department would designate one to five of the larger MPOs as eligible to conduct transportation "demonstration" projects through local-option elections. Only MPOs with a county of at least 300,000 in population would be eligible. Counties within the selected MPOs would have the option to proceed but wouldn't be required to. County commissioners courts representing 66 percent of the MPO's population would decide whether to call an election.

If an election were called, the ballot would list all the projects and methods of financing. County commissioners could put three funding options on the ballot: a county gas tax of up to 10 cents a gallon, a mobility improvement fee of up to \$60 (collected with annual auto registration renewals) and a driver's license fee of up to \$24.

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