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Texas may need to increase gasoline taxes

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The drumbeat for a gasoline tax increase during the 2011 legislative session is hard to hear unless you pay close attention, but it's slowly building and will be louder in the coming year.

The idea is to push the state motor fuels tax up by 10 cents per gallon. The current level of 20 cents per gallon has not been changed since 1991. Texans also pay 18.4 cents per gallon in federal fuel tax, a rate set in 1993.

There's also talk of indexing the state tax to inflation, meaning that it would go up each year in tandem with a selected measure of the overall cost of living. State estimates show that inflation has eroded about a third of the buying power of the motor fuels tax over the years, a slide that indexing is aimed to halt.

The current state tax is projected to bring in \$6.3 billion during the next two years. Under the Texas Constitution, one-fourth of that is reserved for education.

The Legislature diverts some motor fuels tax revenue and other State Highway Fund revenue (motor lubricants tax, vehicle title and registration fees) to state agencies for purposes other than building, designing or maintaining roads. In the current two-year budget, diversions from the fund amount to almost \$1.6 billion.

Dallas-Fort Worth leaders have pushed hard during the past three legislative sessions for more money to be devoted to transportation. The result: abject failure.

There is always opposition in Austin to any kind of tax increase. One of the strongest opponents — notably on the fuel tax — is Gov. Rick Perry. His big issue: People out in West Texas have the roads they need. Why should they pay more to relieve traffic congestion elsewhere?

Perry's expected opponent in next year's Republican primary, U.S. Sen. Kay Bailey Hutchison, has not offered a transportation plan.

Still, there's general agreement that traffic congestion in many parts of Texas is bad and getting worse. The chairmen of the Legislature's key transportation committees, Sen. John Carona of Dallas and Rep. Joe Pickett of El Paso, have said they will hold joint hearings on the issue in Austin next summer.

There's no use going back to the Legislature in 2011 with the same old approaches. Transportation advocates need more allies, and that means addressing some of the concerns that have blocked previous efforts.

Here are some issues that one group of those opponents, Texans for Fiscal Responsibility, wants to see on the table:

End diversions from the Highway Fund. "Put every state gas-tax dollar into road construction and maintenance," says TFR.

Devote money first "to the most congested areas, providing relief that is real, measurable and substantive." Specifically to be excluded, TFR says, are "boondoggles like 'light rail.'

Require transparency for all local, regional and state transportation agencies that spend tax dollars. That means posting all revenues and expenditures online for all to see.

Require accountability for those same agencies, allowing state officials to audit their books. Forbid tax expenditures on lobbying.

Those aren't easy steps. Most of the gas-tax diversions, \$1.2 billion, go to support the Department of Public Safety. The need for DPS won't go away; money for it must come from *somewhere*.

By 2012, the state Transportation Department is expected to have no money — other than what it can borrow — to build new roads. It will struggle to find enough revenue to maintain existing roads.

Increasing the gasoline tax may be the way to go, but to avoid another failure, advocates must learn from their opponents.