

Final Draft – Regional Transportation Council Legislative Program 82nd Texas Legislature

Legislation to Actively Pursue

Identify additional transportation revenue* to enhance statewide and regional ability to maintain and improve the multimodal transportation system. Provide metropolitan areas with flexible solutions to solve problems and ensure that areas contributing to transportation solutions will not be penalized with a loss of traditional transportation funding. Ensure a fair allocation of all funding categories across the State.

Reestablish limited authority for TxDOT to enter into public-private partnerships on specific projects with additional safeguards to protect the public interest and increase transparency, including:

- Establish provisions to encourage domestic involvement from the private sector (similar to automobile industry, quantify domestic benefits);
- Strengthen buyback provisions and eliminate noncompete clauses;
- PLACEHOLDER: NTTA/Collin County negotiated language on first option;
- Require the private sector to integrate air quality elements into PPPs and create an opportunity for the public sector to opt in if interested;
- Strengthen the role of engineering community related to fee provisions in PPPs;
- Explore the role of the private sector as a backstop or revolving fund for system-level PPPs;
- Cap the number of PPPs that may be entered into during each legislative session to an appropriate number with provisions to ensure fair geographic allocation across the State;
- Allow a vote of support by the MPO and the County Commissioners Court for TxDOT to pursue a PPP; and,
- Permit PPPs to be available to enhance productivity of HOV and managed lane projects.

Strengthen protection for all surplus toll revenue and concession payments to fund transportation in the region from which the tolls or fees were generated.

- Require surplus toll revenue and concession payments to be paid directly to the region in which the project is located; and
- Clarify that surplus toll revenue and concession payments are defined as local funds.

Increase flexibility for implementation of Proposition 12 (flexibility for use on managed lanes, provide additional revenue, pursue the revolving fund) and appropriate sufficient revenue to cover debt service on exiting bonds.

*See Attachment 1.

Legislative changes recommended to support the Cotton Belt Innovative Finance Initiative will be brought back at a later time.

RTC Options for Additional Detail to the Transportation Revenue Legislative Position Ensuring Compatibility with Approved Mobility 2035 Financial Scenario

Status Quo Financial Scenario

Identify additional transportation revenue to enhance statewide and regional ability to maintain and improve the multimodal transportation system. Provide metropolitan areas with flexible solutions to solve problems and ensure that areas contributing to transportation solutions will not be penalized with a loss of traditional transportation funding. Ensure a fair allocation of all funding categories across the State.

Note: No specific additional revenue sources are identified since the financial scenario assumes no new revenue between now and 2035.

Statewide Enhanced Financial Scenario

Identify additional transportation revenue to enhance statewide and regional ability to maintain and improve the multimodal transportation system. Provide metropolitan areas with flexible solutions to solve problems and ensure that areas contributing to transportation solutions will not be penalized with a loss of traditional transportation funding. Ensure a fair allocation of all funding categories across the State.

- Eliminate the diversion of transportation revenue to non-transportation uses;
- Increase the motor fuels tax; and,
- Index the motor fuels tax to fuel efficiency.

Note: In order to include additional revenue in Mobility 2035, the RTC must have a formal position supporting any revenue source included in the financial scenario. Three specific revenue sources are identified in the Statewide Enhanced scenario, so if the RTC approves this scenario, the legislative program would need to reflect support for these sources.

Statewide Enhanced + Local Option Financial Scenario (Staff Recommendation)

Identify additional transportation revenue to enhance statewide and regional ability to maintain and improve the multimodal transportation system. Provide metropolitan areas with flexible solutions to solve problems and ensure that areas contributing to transportation solutions will not be penalized with a loss of traditional transportation funding. Ensure a fair allocation of all funding categories across the State.

- Eliminate the diversion of transportation revenue to non-transportation uses;
- Increase the motor fuels tax;
- Index the motor fuels tax to fuel efficiency; and,
- Authorize voter-approved county transportation revenue elections for voters to decide if they want to pay to fund specific transportation projects with a mobility improvement fee.

Note: In order to include additional revenue in Mobility 2035, the RTC must have a formal position supporting any revenue source included in the financial scenario. Four specific revenue sources are identified in the Statewide Enhanced + Local Option scenario, so if the RTC approves this scenario, the legislative program would need to reflect support for these sources.