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

Legislation to Actively Pursue

Secure passage of the Transportation Investment Act and necessary constitutional amendment to improve the ability to maintain and improve the transportation system. The bill and constitutional amendment:

- Stop the diversion of transportation resources over time;
- Index the state tax on gasoline and diesel fuel to the federal fuel economy standard;
- Increase the rate of the state tax on gasoline and diesel fuel by 10 cents per gallon and allocate the revenue to the TxDOT districts by formula to fund needed road, rail and transit projects;
- Authorize voter-approved country transportation revenue elections for voters to decide if they want to pay to fund specific transportation projects with a mobility improvement fee and/or a county motor fuel tax; and,
- Amend the Texas Constitution to permit the Comptroller to adjust the rate of the state motor fuel tax annually, phase out diversions of motor fuels tax and vehicle registration fee revenue, authorize local option revenue to fund road, rail and transit projects, and allow the new 10-cent motor fuel tax to fund rail and transit as well as roads.

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

- Establish “Buy America” provisions to encourage domestic involvement from the private sector;
- Strengthen buyback provisions and eliminate noncompete clauses;
- Provide primacy to regional and local toll project entities for toll roads;
- Provide primacy to TxDOT for managed lanes;
- 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 10 or fewer;
- Require a vote of the MPO and the County Commissioners Court 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.