



**CENTRAL TEXAS  
Regional Mobility Authority**

## AGENDA ITEM #5 SUMMARY

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Report on legislative issues and possible action to revise the Mobility Authority legislative program for the 83<sup>rd</sup> Texas Legislature.

Strategic Plan Relevance: Economic Vitality; Sustainability; Innovation

Department: Law

Associated Costs: None

Funding Source: None

Board Action Required: Yes

Description of Matter:

The 83<sup>rd</sup> Legislature is in session and is considering legislative proposals and issues that affect the Mobility Authority.

This item is to brief the Board on any proposals and issues that may affect the Mobility Authority and to update the status of the Mobility Authority Legislative Program adopted in October 2012 by the Board in Resolution No. 12-070.

Documentation for reference: Legislative Program

Contact for further information: Andy Martin, General Counsel

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE  
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 12-070**

**APPROVING A LEGISLATIVE PROGRAM FOR ISSUES AND PROPOSALS  
AFFECTING THE MOBILITY AUTHORITY IN THE 83<sup>rd</sup> TEXAS LEGISLATURE.**

WHEREAS, the Texas Legislature is scheduled to convene at noon, January 8, 2013, and to adjourn on May 27, 2013, in the 83<sup>rd</sup> Regular Legislative Session; and

WHEREAS, action on legislation considered by the 83<sup>rd</sup> Legislature can affect the powers, duties, and ability of the Mobility Authority to fulfill its statutory mission as a regional mobility authority existing and operating under Chapter 370 of the Texas Transportation Code; and

WHEREAS, the Board of Directors supports consideration and adoption by the 83<sup>rd</sup> Legislature of legislation that addresses issues identified and supported by other regional mobility authorities throughout Texas, as well as issues that affect only the Mobility Authority, as set forth on the legislative program attached to this resolution as Exhibit 1.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors approves the legislative program set forth in Exhibit 1 to this Resolution.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 31<sup>st</sup> day of October, 2012.

Submitted and reviewed by:



Andrew Martin  
General Counsel for the Central  
Texas Regional Mobility Authority

Approved:



Ray A. Wilkerson  
Chairman, Board of Directors  
Resolution Number: 12-070  
Date Passed: 10/31/12

## Exhibit 1

### **Mobility Authority Legislative Program**

Legislative Priorities  
83<sup>rd</sup> Legislative Session

The following is a list of priorities for the 83<sup>rd</sup> Legislative Session:

1. **Toll Enforcement Remedies:** As RMAs open newly constructed toll projects to traffic, effective toll enforcement and collection is becoming an increasingly significant issue. While legislation passed last session gave RMAs the same enforcement powers as the North Texas Tollway Authority (NTTA), county toll road authorities, and TxDOT, these powers provide limited options to address the problem of chronic toll violators. The Mobility Authority, working with other RMAs, TxDOT, NTTA, and other toll authorities will support legislation to expand the currently available enforcement measures to include methods such as a vehicle registration renewal block for chronic non-payment of tolls, enhanced penalties for use of toll facilities by chronic violators, and other potential remedies and deterrents. Further, enhanced remedies to address out-of-state (including international) violators are needed.

2. **Revolving Fund:** The concept of a revolving fund for transportation projects has been proposed in various forms during past legislative sessions, most recently as HB 3218 by Representative Larry Phillips during the 82<sup>nd</sup> Legislative Session. The Mobility Authority and other RMAs continue to support the creation of a revolving fund, either within the existing State Infrastructure Bank (“SIB”) structure or as a separate, stand-alone fund. The revolving fund would serve to provide funding for a variety of purposes, including upfront project costs, a source of “gap” funding (i.e., the difference between bonding capacity and project costs), and as a possible credit enhancement tool, allowing RMAs to issue bonds to finance projects at more favorable rates. The Mobility Authority also supports creating a subaccount with this revolving fund which would only include state funds, allowing for local development of projects pursuant to the streamlined environmental review process implemented last legislative session.

3. **Transportation Reinvestment Zones:** Transportation Reinvestment Zones (TRZs) can offer an important tool for generating local funding for projects. The TRZ statute was significantly improved during the 82<sup>nd</sup> Legislative Session through the passage of HB 563 by Representative Joe Pickett and certain provisions in SB 1420, bills which were strongly supported by RMAs. The RMA statute was also amended (by virtue of HB 1112) to include provisions making TRZs a viable tool for funding RMA projects. The Mobility Authority supports continued efforts to improve TRZs to facilitate further use of this valuable project financing tool, and will support legislation further clarifying the TRZ statutes to make implementation easier based on actual experience.

4. **Increased Transportation Funding:** There is a dire need for increased funding for the state’s transportation system. Some estimates indicate that there will be little or new funds available for new construction as early as 2014, and that all available funding will be needed for maintenance and rehabilitation. In addition to tools intended to enhance funding capabilities

(such as the SIB/revolving fund and TRZs), the Mobility Authority supports viable options to increase funding at the state or local level, including without limitation the dedication of vehicle sales tax revenues to the state highway fund.

**Items specific to the Central Texas Regional Mobility Authority:**

5. **Project-Specific CDA Authority:** In the 82<sup>nd</sup> Legislative Session, SB 1420 (the TxDOT Sunset bill) authorized certain projects to be developed as concession Comprehensive Development Agreement (CDAs). If supported by the our local legislative delegation, the Mobility Authority will seek to extend the CDA authority granted in SB 1420 for the U.S. 183 (Bergstrom Expressway) project.

6. **State Funding for Discounted or Free Tolls under HB 3139, 81st Legislative Session:** The Mobility Authority supports and will seek an appropriation of sufficient funds from the state to defray the cost of providing free or discounted tolls on Mobility Authority toll projects to eligible users identified by subsection (b) of Section 372.053 of the Transportation Code, as enacted by HB 3139.