

AN ACT

relating to the continuation and functions of the Texas Department of Transportation; authorizing an increase in rates charged for the use of state aircraft to provide for the acquisition of replacement aircraft; creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 21.069(a), Transportation Code, is amended to read as follows:

(a) The department [~~, in consultation with the State Aircraft Pooling Board,~~] shall establish a state airport in Central Texas that is open to the general public.

SECTION 2. Section 201.059, Transportation Code, is amended to read as follows:

Sec. 201.059. COMMISSION MEMBER TRAINING [~~ON DEPARTMENT AND CERTAIN LAWS RELATING TO DEPARTMENT~~]. (a) A [~~To be eligible to take office as a member of the commission,~~ a] person who is appointed to and qualifies for office as a member of the commission may not vote, deliberate, or be counted as a member in attendance at a meeting of the commission until the person completes [~~must complete at least one course of~~] a training program that complies with this section.

(b) The training program must provide the person with information [~~to the person~~] regarding:

- (1) the law governing department operations [~~this~~

1 ~~subchapter~~];

2 (2) the programs, functions, rules, and budget of
3 ~~[operated by]~~ the department;

4 (3) the scope of and limitations on the rulemaking
5 authority of the commission ~~[role and functions of the department]~~;

6 (4) ~~[the rules of the department with an emphasis on~~
7 ~~the rules that relate to disciplinary and investigatory authority,~~

8 ~~(5) the current budget for the department,~~

9 ~~(6)]~~ the results of the most recent formal audit of
10 the department;

11 (5) ~~(7)]~~ the requirements of ~~[the]~~:

12 (A) laws relating to open meetings, public
13 information, administrative procedure, and disclosing conflicts of
14 interest ~~[law, Chapter 551, Government Code]~~; and

15 (B) other laws applicable to members of the
16 commission in performing their duties ~~[open records law, Chapter~~
17 ~~552, Government Code, and~~

18 ~~[(C) administrative procedure law, Chapter 2001,~~
19 ~~Government Code,~~

20 ~~(8) the requirements of the conflict of interest laws~~
21 ~~and other laws relating to public officials]; and~~

22 (6) ~~(9)]~~ any applicable ethics policies adopted by
23 the department ~~[commission]~~ or the Texas Ethics Commission.

24 (c) A person appointed to the commission is entitled to
25 reimbursement, as provided by the General Appropriations Act, for
26 the travel expenses incurred in attending the training program,
27 regardless of whether the attendance at the program occurs before

1 or after [~~as provided by the General Appropriations Act and as if~~
2 the person qualifies for office [~~were a member of the commission~~].

3 (d) The director shall create a training manual that
4 includes the information required by Subsection (b). The director
5 shall distribute a copy of the training manual annually to each
6 member of the commission. On receipt of the training manual, each
7 member of the commission shall sign and submit to the director a
8 statement acknowledging receipt of the training manual.

9 SECTION 3. Section 201.204, Transportation Code, is amended
10 to read as follows:

11 Sec. 201.204. SUNSET PROVISION. The Texas Department of
12 Transportation is subject to Chapter 325, Government Code (Texas
13 Sunset Act). Unless continued in existence as provided by that
14 chapter, the department is abolished September 1, 2029 [~~2017~~].

15 SECTION 4. Sections 201.601(a-1) and (d), Transportation
16 Code, are amended to read as follows:

17 (a-1) The plan must:

18 (1) contain specific and clearly defined
19 transportation system strategies, long-term transportation goals
20 for the state and measurable targets for each goal, and other
21 related performance measures;

22 (2) identify priority corridors, projects, or areas of
23 the state that are of particular concern to the department in
24 meeting the goals established under Subdivision (1); and

25 (3) contain a participation plan specifying methods
26 for obtaining formal input on the goals and priorities identified
27 under this subsection from:

- 1 (A) other state agencies;
- 2 (B) political subdivisions;
- 3 (C) local transportation entities; and
- 4 (D) the general public.

5 (d) In selecting transportation projects, the ~~[The]~~
6 department shall consider the transportation system strategies,
7 goals and measurable targets, and other related performance
8 measures established under Subsection (a-1)(1) ~~[in selecting~~
9 ~~transportation projects]~~.

10 SECTION 5. Section [201.6013](#), Transportation Code, is
11 amended to read as follows:

12 Sec. 201.6013. LONG-TERM PLAN FOR STATEWIDE PASSENGER RAIL
13 SYSTEM. (a) The department shall:

14 (1) prepare ~~[and update annually]~~ a long-term plan for
15 a statewide passenger rail system; and

16 (2) update the plan at least once every five years.

17 (b) Information contained in the plan must include:

18 (1) a description of existing and proposed passenger
19 rail systems;

20 (2) information regarding the status of passenger rail
21 systems under construction;

22 (3) an analysis of potential interconnectivity
23 difficulties;

24 (4) an analysis of short-term and long-term effects of
25 each proposed passenger rail system on state and local road
26 connectivity, including effects on oversize or overweight vehicles
27 and other commercial traffic;

1 (5) an analysis of the effect of each proposed
2 passenger rail system on statewide transportation planning,
3 including the effect on future state and local road construction
4 and road maintenance needs;

5 (6) ridership projections for proposed passenger rail
6 projects; and

7 (7) [~~(5)~~] ridership statistics for existing passenger
8 rail systems.

9 SECTION 6. Section [201.6015](#), Transportation Code, is
10 amended to read as follows:

11 Sec. 201.6015. INTEGRATION OF PLANS AND POLICY EFFORTS. In
12 developing each of its transportation plans and policy efforts, the
13 department must:

14 (1) clearly reference the statewide transportation
15 plan under Section [201.601](#);

16 (2) include in the plan or policy effort the
17 transportation system strategies, goals and measurable targets,
18 and other related performance measures established under Section
19 [201.601\(a-1\)\(1\)](#); and

20 (3) [~~and~~] specify how the plan or policy effort
21 supports [~~or otherwise relates to~~] the specific goals established
22 under Section [201.601\(a-1\)\(1\)](#) [~~that section~~].

23 SECTION 7. Subchapter I, Chapter [201](#), Transportation Code,
24 is amended by adding Section 201.705 to read as follows:

25 Sec. 201.705. AESTHETIC ENTRANCES AND ORNAMENTAL
26 DECORATIONS. The department may enter into agreements with local
27 governments, convention and visitors bureaus, chambers of

1 commerce, or other governmental or nongovernmental entities for the
2 purpose of purchasing supplies and materials to be used for
3 aesthetic entrances to municipalities or census designated places
4 along interstate highways or highway corridors or ornamental
5 decorations along overpasses, provided that the department may not
6 expend appropriated funds solely to plan, design, or construct
7 aesthetic entrances to municipalities or census designated places
8 along interstate highways or highway corridors or ornamental
9 decorations along overpasses.

10 SECTION 8. Section 201.806(a), Transportation Code, is
11 amended to read as follows:

12 (a) The department shall:

13 (1) tabulate and analyze the vehicle accident reports
14 it receives; and

15 (2) annually or more frequently publish on the
16 department's Internet website statistical information derived from
17 the accident reports as to the number, cause, and location of
18 highway accidents, including information regarding the number of:

19 (A) accidents involving injury to, death of, or
20 property damage to a bicyclist or pedestrian; and

21 (B) fatalities caused by a bridge collapse, as
22 defined by Section 550.081.

23 SECTION 9. Section 201.807, Transportation Code, is amended
24 by amending Subsection (a) and adding Subsections (g) and (h) to
25 read as follows:

26 (a) In this section, "department project" means a highway
27 project under the jurisdiction of the department, including a

1 grouped rehabilitation and preventive maintenance project, that:

2 (1) is being developed or is under construction; and

3 (2) is identified in the district project portfolio
4 ~~[work program]~~ required under Section 201.998.

5 (g) The department shall:

6 (1) conduct a comprehensive review of the project
7 information reporting system;

8 (2) in conducting the review required by Subdivision
9 (1), incorporate feedback from internal and external users of the
10 system and advice from the department office responsible for public
11 involvement; and

12 (3) develop a plan for implementing any needed
13 improvements to the system.

14 (h) The department shall conduct the review required by
15 Subsection (g)(1) on a regular basis, as specified by commission
16 rule.

17 SECTION 10. Subchapter J, Chapter 201, Transportation Code,
18 is amended by adding Section 201.8075 to read as follows:

19 Sec. 201.8075. STATEWIDE TRANSPORTATION PLAN DASHBOARD.

20 (a) In this section, "dashboard" means a web-based data
21 visualization tool that provides an analysis and visual
22 representation of key performance measures relevant to a particular
23 objective.

24 (b) The department shall develop and prominently display on
25 the department's Internet website a dashboard that clearly
26 communicates to the public:

27 (1) the transportation system strategies, goals and

1 measurable targets, and other related performance measures
2 established under Section 201.601(a-1)(1); and

3 (2) the department's progress, including trends over
4 time, in meeting the strategies, goals and targets, and other
5 related performance measures described by Subdivision (1).

6 (c) The dashboard must be in a format that is easy to
7 navigate.

8 (d) The department shall:

9 (1) regularly update the information displayed on the
10 dashboard; and

11 (2) publish on the department's Internet website the
12 methodology and data used to determine the department's progress
13 under Subsection (b)(2).

14 SECTION 11. Section 201.808, Transportation Code, is
15 amended by adding Subsection (i) to read as follows:

16 (i) The department shall:

17 (1) conduct a comprehensive analysis regarding the
18 effect of funding allocations made to funding categories described
19 by Section 201.991(b) and project selection decisions on
20 accomplishing the goals described in the statewide transportation
21 plan under Section 201.601;

22 (2) provide the analysis to metropolitan planning
23 organizations, the public, and each member of the commission for
24 the purpose of informing deliberations on funding decisions for the
25 unified transportation program under Section 201.991;

26 (3) update the analysis as part of:

27 (A) the department's annual update to the unified

1 transportation program under Section 201.992 and any other formal
2 update to that program; and

3 (B) the evaluation and report required by Section
4 201.809;

5 (4) promptly publish the analysis on the department's
6 Internet website in its entirety and in summary form; and

7 (5) publish the methodology and data used to create
8 the analysis on the department's Internet website and make the
9 methodology and data available to the metropolitan planning
10 organizations, the public, and the commission under Subdivision
11 (2).

12 SECTION 12. Section 201.809(a), Transportation Code, is
13 amended to read as follows:

14 (a) The department annually shall evaluate and publish a
15 report about the status of each transportation goal for this
16 state. The department shall also promptly publish the report on
17 the department's Internet website in summary form. The report must
18 include:

19 (1) information about the progress of each long-term
20 transportation goal that is identified by the statewide
21 transportation plan;

22 (2) the status of each project identified as a major
23 priority;

24 (3) a summary of the number of statewide project
25 implementation benchmarks that have been completed; ~~and~~

26 (4) information about the accuracy of previous
27 department financial forecasts; and

1 (5) the analysis required by Section 201.808(i).

2 SECTION 13. Subchapter J, Chapter 201, Transportation Code,
3 is amended by adding Section 201.812 to read as follows:

4 Sec. 201.812. REPORT ON COMPLETED HIGHWAY CONSTRUCTION
5 PROJECTS. (a) The department shall semiannually publish on the
6 department's Internet website a report on all highway construction
7 projects, listed by department district, that have been completed.

8 (b) The report required by Subsection (a) must, for each
9 project listed in the report:

10 (1) specify whether the project was completed:

11 (A) on schedule, ahead of schedule, or behind
12 schedule; and

13 (B) on budget, under budget, or over budget; and

14 (2) include any change orders.

15 SECTION 14. Section 201.991, Transportation Code, is
16 amended by adding Subsections (b-1) and (e) and amending Subsection
17 (d) to read as follows:

18 (b-1) The commission by rule shall:

19 (1) adopt a policy comprehensively explaining the
20 department's approach to public involvement and transparency
21 related to the unified transportation program; and

22 (2) require the department to, at a minimum, make a
23 report on any change to the unified transportation program
24 available on the department's Internet website and provide the
25 report to the commission in a public meeting, regardless of any
26 rules adopted for public hearings and approvals.

27 (d) In developing the rules required by Subsection (b) [~~this~~

1 ~~section]~~, the commission shall collaborate with local
2 transportation entities.

3 (e) In developing the policy required by Subsection
4 (b-1)(1), the commission shall collaborate with stakeholders.

5 SECTION 15. Section 201.992(b), Transportation Code, is
6 amended to read as follows:

7 (b) The annual update must include:

8 (1) the annual funding forecast required by Section
9 201.993;

10 (2) the list of major transportation projects required
11 by Section 201.994(b); ~~and~~

12 (3) the category to which the project has been
13 assigned and the priority of the project in the category under
14 Section 201.995; and

15 (4) the analysis required by Section 201.808(i).

16 SECTION 16. Sections 201.993(a) and (c), Transportation
17 Code, are amended to read as follows:

18 (a) The department annually shall:

19 (1) develop and publish on the department's Internet
20 website a forecast of all funds the department expects to receive,
21 including funds from this state and the federal government; and

22 (2) use that forecast to guide planning for the
23 unified transportation program.

24 (c) Not later than September 1 of each year, the department
25 shall prepare and publish on the department's Internet website a
26 cash flow forecast for a period of 20 years.

27 SECTION 17. Section 201.995, Transportation Code, is

1 amended by adding Subsection (d) to read as follows:

2 (d) In prioritizing and approving projects under Section
3 201.9991 that are included in the unified transportation program,
4 the commission must first evaluate projects on strategic need and
5 potential contribution toward meeting the transportation goals
6 established under Section 201.601(a-1)(1). After conducting that
7 initial evaluation, the commission may conduct a secondary
8 evaluation based on other factors such as funding availability and
9 project readiness.

10 SECTION 18. Section 201.998, Transportation Code, is
11 amended to read as follows:

12 Sec. 201.998. DISTRICT PROJECT PORTFOLIOS [~~WORK PROGRAM~~].

13 (a) Each department district shall develop a consistently
14 formatted project portfolio [~~work program~~] based on the unified
15 transportation program covering a period of at least four years
16 that contains all projects that the district proposes to implement
17 during that period.

18 (b) The department shall develop comprehensive performance
19 measures for key steps in the project development process for
20 projects included in each district's project portfolio. The
21 department shall use the performance measures developed under this
22 subsection to track and report whether each district is:

- 23 (1) developing an appropriate mix of projects; and
24 (2) on track to meet letting targets that are
25 consistent with applicable department policy governing when a
26 project should be bid on for a contract awarded by the department
27 [~~work program must contain:~~]

1 ~~[(1) information regarding the progress of projects~~
2 ~~designated as major transportation projects, according to project~~
3 ~~implementation benchmarks and timelines established under Section~~
4 ~~201.994, and~~

5 ~~[(2) a summary of the progress on other district~~
6 ~~projects].~~

7 (c) The department shall conduct a review of project
8 development activities in each district's project portfolio on a
9 regular basis and use the review ~~[use the work program]~~ to~~+~~

10 ~~[(1)]~~ monitor and evaluate the performance of each
11 ~~[the] district[, and~~

12 ~~[(2) evaluate the performance of district employees].~~

13 (d) In conducting the review required by Subsection (c), the
14 ~~[The]~~ department shall, when appropriate, seek input from key
15 stakeholders such as local government project sponsors or
16 metropolitan planning organizations ~~[publish the work program in~~
17 ~~appropriate media and on the department's Internet website].~~

18 (e) The commission shall adopt rules as necessary to
19 administer this section.

20 (f) The commission shall adopt and regularly update rules:

21 (1) governing the overall planning, review, and
22 monitoring process created by this section;

23 (2) specifying how planning and project stakeholders
24 can become involved in the process described by Subdivision (1);
25 and

26 (3) requiring the department to regularly report
27 results under this section to the commission and the public and

1 specifying the method for reporting those results.

2 (g) The commission shall consult a stakeholder group before
3 adopting or updating rules under Subsection (f).

4 SECTION 19. Section 201.9991(a), Transportation Code, is
5 amended to read as follows:

6 (a) The commission by rule shall prioritize and approve
7 projects included in the statewide transportation plan under
8 Section 201.601 or in the unified transportation program under
9 Section 201.991 in order to provide financial assistance under this
10 chapter.

11 SECTION 20. Subchapter P, Chapter 201, Transportation Code,
12 is amended by adding Section 201.9992 to read as follows:

13 Sec. 201.9992. ROLES AND RESPONSIBILITIES OF DEPARTMENT AND
14 METROPOLITAN PLANNING ORGANIZATIONS. (a) The commission shall
15 adopt rules governing:

16 (1) the alignment of the department's state and
17 federal funding forecasts, including the annual funding forecast
18 required by Section 201.993, with the funding forecasts of
19 metropolitan planning organizations, including:

20 (A) the funding forecasts used for long-term
21 planning as described in Sections 201.620 and 472.035; and

22 (B) the 10-year transportation plan required by
23 Section 201.9911;

24 (2) the alignment of the statewide project
25 recommendation criteria developed by the department with the
26 project recommendation criteria developed by metropolitan planning
27 organizations that relate to statewide transportation goals,

1 particularly for major mobility projects using a mix of several
2 funding sources and selected by different entities;

3 (3) the department's timelines and review process for
4 the 10-year transportation plans required by Section 201.9911;

5 (4) the department's process for allowing metropolitan
6 planning organizations direct access to the department's
7 information systems, software, and technical assistance for the
8 purpose of accomplishing statewide transportation goals; and

9 (5) the department's process for collaborating with
10 metropolitan planning organizations to regularly evaluate the
11 availability, consistency, and quality of data and other
12 information needed to fully develop a more performance-based
13 transportation planning and project selection system.

14 (b) A rule adopted under Subsection (a)(3) must take into
15 consideration a metropolitan planning organization's other
16 deadlines and requirements in federal law.

17 (c) The commission shall consult a stakeholder group before
18 developing the rules required by Subsection (a).

19 SECTION 21. Subchapter B, Chapter 203, Transportation Code,
20 is amended by adding Section 203.023 to read as follows:

21 Sec. 203.023. SUBSTANTIAL CHANGE IN LAYOUT OR FUNCTION.
22 The commission by rule shall require a hearing for projects that
23 substantially change the layout or function of a connecting roadway
24 or an existing facility, including the addition of managed lanes,
25 high-occupancy vehicle lanes, bicycle lanes, bus lanes, and transit
26 lanes.

27 SECTION 22. Section 222.103(a), Transportation Code, is

1 amended to read as follows:

2 (a) The department may participate, by spending money from
3 any available source, in the cost of the acquisition, construction,
4 maintenance, or operation of a toll facility of a public or private
5 entity on terms and conditions established by the commission. The
6 commission[+]

7 ~~[(1) may require the repayment of any money spent by~~
8 ~~the department for the cost of a toll facility of a public entity,~~
9 ~~and~~

10 [(2)] shall require the repayment of any money spent
11 ~~[by the department for the cost of a toll facility of a private~~
12 ~~entity].~~

13 SECTION 23. Section 223.012, Transportation Code, is
14 amended to read as follows:

15 Sec. 223.012. CONTRACTOR PERFORMANCE. (a) The commission
16 ~~[department]~~ shall adopt rules to:

17 (1) establish a range of contract remedies to be
18 included in all low-bid highway improvement contracts, including
19 enforceable corrective action plans and criteria for prohibiting
20 contractors with significant project completion delays from
21 bidding on new projects, and develop a process and criteria for when
22 to apply each contract remedy;

23 (2) develop and implement a schedule for liquidated
24 damages that accurately reflects the costs associated with project
25 completion delays, including administrative and travel delays; and

26 (3) develop a contractor performance evaluation
27 process and an evaluation tool that:

1 (A) allows for the [~~(2)~~] review of contractor
2 bidding capacity to ensure that contractors meet each quality,
3 safety, and timeliness standard established by the commission; and

4 (B) contains criteria for modifying a
5 contractor's bidding capacity for competitively bid highway
6 improvement contracts when appropriate [~~(3) conduct a review to~~
7 ~~determine whether commission rules or state law should be changed~~
8 ~~to realize significant cost and time savings on state highway~~
9 ~~construction and maintenance projects].~~

10 (b) In developing the rules required by Subsection (a)(1),
11 the commission must:

12 (1) consult with industry contractors; and

13 (2) consider contract remedies used by:

14 (A) other state agencies; and

15 (B) departments of transportation in other
16 states [~~Not later than December 1, 1998, the department shall file a~~
17 ~~report with the governor, the lieutenant governor, and the speaker~~
18 ~~of the house of representatives containing:~~

19 ~~[(1) the results of the review conducted under~~
20 ~~Subsection (a)(3), and~~

21 ~~[(2) recommendations on legislation the commission~~
22 ~~determines is necessary to realize significant cost and time~~
23 ~~savings on state highway construction and maintenance]~~.

24 (c) The rules adopted under Subsection (a)(2) must:

25 (1) include criteria for identifying projects that
26 have a significant impact on the traveling public; and

27 (2) require the department to calculate

1 project-specific liquidated damages for projects described by
2 Subdivision (1) that reflect the true cost of travel delays.

3 (d) In developing the evaluation tool required by
4 Subsection (a)(3), the commission must consult with industry
5 contractors.

6 (e) The rules adopted under Subsection (a)(3) must:

7 (1) provide for a process for contractors to appeal
8 the contractors' evaluations; and

9 (2) include criteria for the use of the evaluations by
10 the department to address contractor performance problems.

11 (f) Rules adopted under this section must require:

12 (1) contractual provisions providing for the
13 consideration of sufficient time; and

14 (2) the department to consider any events outside a
15 contractor's control before assessing a penalty against the
16 contractor.

17 SECTION 24. Subchapter B, Chapter 223, Transportation Code,
18 is amended by adding Section 223.051 to read as follows:

19 Sec. 223.051. VERIFICATION BY CONTRACTORS. (a) In this
20 section, "E-verify program" has the meaning assigned by Section
21 673.001, Government Code.

22 (b) The department may not award a contract for the
23 construction, maintenance, or improvement of a highway in this
24 state to a contractor unless the contractor and any subcontractor
25 register with and participate in the E-verify program to verify
26 employee information. The contractor and any subcontractor must
27 continue to participate in the program during the term of the

1 contract.

2 (c) The department shall develop procedures for the
3 administration and enforcement of this section.

4 SECTION 25. Subchapter B, Chapter 224, Transportation Code,
5 is amended by adding Section 224.034 to read as follows:

6 Sec. 224.034. HIGHWAY CLOSURES DURING CERTAIN PERIODS. (a)
7 If a proposed improvement of the state highway system requires the
8 closing of a highway, the department shall, before entering into a
9 contract for the proposed improvement, coordinate the highway
10 closure by communicating in person or by telephone call, e-mail, or
11 other direct method of communication with public officials from
12 municipalities affected by the closure to avoid any adverse
13 economic impact on the municipalities during:

14 (1) periods of increased travel on the state highway
15 system, including major state and federal holidays and school
16 holidays; and

17 (2) other periods of high commercial activity in the
18 state, including limited periods in which certain items are
19 exempted from the sales tax imposed by Chapter 151, Tax Code.

20 (b) A contract for the proposed improvement of the state
21 highway system that requires the closing of a highway as described
22 by Subsection (a) must include a provision identifying the days on
23 which the highway may not be closed.

24 (c) The department shall submit an annual report to the
25 governor, the lieutenant governor, the speaker of the house of
26 representatives, and each member of the legislature detailing all
27 highway closures during periods listed in Subsection (a) and the

1 estimated economic impact of those closures.

2 SECTION 26. Subchapter B, Chapter 225, Transportation Code,
3 is amended by adding Sections 225.123 through 225.133 to read as
4 follows:

5 Sec. 225.123. ROSA PARKS MEMORIAL PARKWAY. (a) The portion
6 of State Highway 360 from the municipal limits of Mansfield in
7 Tarrant County to its intersection with East Sublett Road/West Camp
8 Wisdom Road in Tarrant County is designated as the Rosa Parks
9 Memorial Parkway.

10 (b) Subject to Section 225.021(c), the department shall:

11 (1) design and construct markers indicating the
12 designation as the Rosa Parks Memorial Parkway and any other
13 appropriate information; and

14 (2) erect a marker at each end of the highway and at
15 appropriate intermediate sites along the highway.

16 Sec. 225.124. SENATOR CHRIS HARRIS MEMORIAL HIGHWAY. (a)
17 The portion of State Highway 360 from its intersection with U.S.
18 Highway 287 in Ellis County to the municipal limits of Mansfield in
19 Tarrant County is designated as the Senator Chris Harris Memorial
20 Highway.

21 (b) Subject to Section 225.021(c), the department shall:

22 (1) design and construct markers indicating the
23 designation as the Senator Chris Harris Memorial Highway and any
24 other appropriate information; and

25 (2) erect a marker at each end of the highway and at
26 appropriate intermediate sites along the highway.

27 Sec. 225.125. STATE TROOPER BILL DAVIDSON MEMORIAL HIGHWAY.

1 (a) The portion of U.S. Highway 59 in Jackson County between mile
2 marker 618 and mile marker 620 on the southbound side is designated
3 as the State Trooper Bill Davidson Memorial Highway.

4 (b) Subject to Section 225.021(c), the department shall:

5 (1) design and construct markers indicating the
6 designation as the State Trooper Bill Davidson Memorial Highway and
7 any other appropriate information; and

8 (2) erect a marker at each end of the highway and at
9 appropriate intermediate sites along the highway.

10 Sec. 225.126. VETERANS MEMORIAL HIGHWAY. (a) The portion
11 of U.S. Highway 271 in Camp County is designated as the Veterans
12 Memorial Highway.

13 (b) Subject to Section 225.021(c), the department shall:

14 (1) design and construct markers indicating the
15 designation as the Veterans Memorial Highway and any other
16 appropriate information; and

17 (2) erect a marker at each end of the highway and at
18 appropriate intermediate sites along the highway.

19 Sec. 225.127. TITUS COUNTY VIETNAM VETERANS MEMORIAL
20 HIGHWAY. (a) The portion of Farm-to-Market Road 4000 in Titus
21 County between its intersection with Farm-to-Market Road 1735 and
22 the eastern municipal boundary of Mount Pleasant is designated as
23 the Titus County Vietnam Veterans Memorial Highway.

24 (b) Subject to Section 225.021(c), the department shall:

25 (1) design and construct markers indicating the
26 designation as the Titus County Vietnam Veterans Memorial Highway
27 and any other appropriate information; and

1 (2) erect a marker at each end of the highway and at
2 appropriate intermediate sites along the highway.

3 Sec. 225.128. TEXAS GAME WARDEN TEYRAN "TY" PATTERSON
4 MEMORIAL HIGHWAY. (a) Business State Highway 123-B in Guadalupe
5 County is designated as the Texas Game Warden Teyran "Ty" Patterson
6 Memorial Highway. This designation is in addition to any other
7 designation.

8 (b) Subject to Section 225.021(c), the department shall:

9 (1) design and construct markers indicating the
10 designation as the Texas Game Warden Teyran "Ty" Patterson Memorial
11 Highway and any other appropriate information; and

12 (2) erect a marker at each end of the highway and at
13 appropriate intermediate sites along the highway.

14 Sec. 225.129. KOLLYN BARTON MEMORIAL HIGHWAY. (a) The
15 portion of Farm-to-Market Road 666 in Nueces County between its
16 intersection with State Highway 44 and Farm-to-Market Road 624 is
17 designated as the Kollyn Barton Memorial Highway.

18 (b) Subject to Section 225.021(c), the department shall:

19 (1) design and construct markers indicating the
20 designation as the Kollyn Barton Memorial Highway and any other
21 appropriate information; and

22 (2) erect a marker at each end of the highway and at
23 appropriate intermediate sites along the highway.

24 Sec. 225.130. BEDFORD-CARMICHAEL BRIDGE. (a) The
25 structure on State Highway 6 located in Eastland County adjacent to
26 Lake Cisco connecting the north and south banks of Sandy Creek is
27 designated as the Bedford-Carmichael Bridge.

1 (b) Subject to Section 225.021(c), the department shall:

2 (1) design and construct markers indicating the
3 designation as the Bedford-Carmichael Bridge and any other
4 appropriate information; and

5 (2) erect a marker at each end of the structure.

6 Sec. 225.131. SHERIFF RONNIE DODDS MEMORIAL HIGHWAY. (a)

7 The portion of Alternate United States Highway 90 in Lavaca County
8 from the eastern municipal limits of Shiner to the western
9 municipal limits of Hallettsville is designated as the Sheriff
10 Ronnie Dodds Memorial Highway.

11 (b) Subject to Section 225.021(c), the department shall:

12 (1) design and construct markers indicating the
13 designation as the Sheriff Ronnie Dodds Memorial Highway and any
14 other appropriate information; and

15 (2) erect a marker at each end of the highway and at
16 appropriate intermediate sites along the highway.

17 Sec. 225.132. SERGEANT DAVID M. FURRH MEMORIAL HIGHWAY.

18 (a) The portion of State Highway 95 in Lavaca County from the
19 northern municipal limits of Shiner to the southern municipal
20 limits of Moulton is designated as the Sergeant David M. Furrh
21 Memorial Highway.

22 (b) Subject to Section 225.021(c), the department shall:

23 (1) design and construct markers indicating the
24 designation as the Sergeant David M. Furrh Memorial Highway and any
25 other appropriate information; and

26 (2) erect a marker at each end of the highway and at
27 appropriate intermediate sites along the highway.

1 Sec. 225.133. STAFF SERGEANT JEREMIE S. BORDER MEMORIAL
2 HIGHWAY. (a) The portion of State Highway 352 in the municipal
3 limits of Mesquite is designated as the Staff Sergeant Jeremie S.
4 Border Memorial Highway.

5 (b) Subject to Section 225.021(c), the department shall:

6 (1) design and construct markers indicating the
7 designation as the Staff Sergeant Jeremie S. Border Memorial
8 Highway and any other appropriate information; and

9 (2) erect a marker at each end of the highway and at
10 appropriate intermediate sites along the highway.

11 SECTION 27. The heading to Section 228.054, Transportation
12 Code, is amended to read as follows:

13 Sec. 228.054. TOLL PAYMENT REQUIRED [~~FAILURE OR REFUSAL TO~~
14 ~~PAY TOLL~~]; EMERGENCY VEHICLES EXEMPT [~~OFFENSE~~].

15 SECTION 28. Section 228.054(a), Transportation Code, is
16 amended to read as follows:

17 (a) Except as provided by Subsection (e) [~~or Section~~
18 ~~228.0545~~], the operator of a vehicle, other than an authorized
19 emergency vehicle, as defined by Section 541.201, that is driven or
20 towed through a toll collection facility shall pay the proper toll.
21 The exemption from payment of a toll for an authorized emergency
22 vehicle applies regardless of whether the vehicle is:

- 23 (1) responding to an emergency;
- 24 (2) displaying a flashing light; or
- 25 (3) marked as an emergency vehicle.

26 SECTION 29. The heading to Section 228.0545, Transportation
27 Code, is amended to read as follows:

1 Sec. 228.0545. TOLL NOT PAID AT TIME OF USE; INVOICE
2 ~~[ALTERNATIVE TOLLING METHODS]~~.

3 SECTION 30. Section 228.0545, Transportation Code, is
4 amended by amending Subsections (c) and (d) and adding Subsection
5 (e) to read as follows:

6 (c) The department shall send by first class mail to the
7 registered owner of a ~~the~~ vehicle a written invoice containing an
8 assessment for tolls incurred by the vehicle ~~[notice of the total~~
9 ~~amount due. The notice must specify the date, which may not be~~
10 ~~earlier than the 30th day after the date the notice is mailed, by~~
11 ~~which the amount due must be paid. The registered owner shall pay~~
12 ~~the amount due on or before the date specified in the notice]~~.

13 (d) The department shall send the invoice ~~[notice]~~ required
14 under Subsection (c) and related communications ~~[subsequent~~
15 ~~notices]~~ to:

16 (1) the registered owner's address as shown in the
17 vehicle registration records of the Texas Department of Motor
18 Vehicles or the analogous department or agency of another state or
19 country; or

20 (2) an alternate address provided by the owner or
21 derived through other reliable means.

22 (e) The department may provide that the invoice under
23 Subsection (c), instead of being sent by first class mail, be sent
24 as an electronic record to a registered owner that agrees to the
25 terms of the electronic record transmission of the information.

26 SECTION 31. Subchapter B, Chapter 228, Transportation Code,
27 is amended by adding Sections 228.0546 and 228.0547 to read as

1 follows:

2 Sec. 228.0546. INVOICE REQUIREMENTS; PAYMENT DUE DATE. An
3 invoice containing an assessment for the use of a toll project must:

4 (1) require payment not later than the 30th day after
5 the date the invoice is mailed; and

6 (2) conspicuously state:

7 (A) the amount due;

8 (B) the date by which the amount due must be paid;

9 and

10 (C) that failure to pay the amount due in the
11 required period will result in the assessment of an administrative
12 fee.

13 Sec. 228.0547. PAYMENT OF TOLL INVOICE; OFFENSE. (a) A
14 person who receives an invoice from the department for the use of a
15 toll project shall, not later than the due date specified in the
16 invoice:

17 (1) pay the amount owed as stated in the invoice; or

18 (2) send a written request to the department for a
19 review of the toll assessments contained in the invoice.

20 (b) If a person fails to comply with Subsection (a), the
21 department may add an administrative fee, not to exceed \$6, to the
22 amount the person owes. The department:

23 (1) must set the administrative fee by rule in an
24 amount that does not exceed the cost of collecting the toll; and

25 (2) may not charge a person more than \$48 in
26 administrative fees in a 12-month period.

27 (c) A person who receives two or more invoices for unpaid

1 tolls, including a lessee or transferee under Section 228.055(d-1)
2 or (e) or a person who receives an invoice from an entity under
3 Section 228.059, and who has not paid the amount due within 30 days
4 of the date of the second invoice commits an offense. An offense
5 under this subsection is a misdemeanor punishable by a fine not to
6 exceed \$250. A person may not be convicted of more than one offense
7 under this subsection in a 12-month period.

8 (d) The court in which a person is convicted of an offense
9 under Subsection (c) shall collect the unpaid tolls and
10 administrative fees and forward the amounts to the department. A
11 person who is convicted of an offense under Subsection (c) is also
12 liable for court costs.

13 (e) The department may contract, in accordance with Section
14 2107.003, Government Code, with a person to collect the unpaid toll
15 and any applicable administrative fee before referring the matter
16 to a court with jurisdiction over the offense.

17 SECTION 32. The heading to Section 228.055, Transportation
18 Code, is amended to read as follows:

19 Sec. 228.055. EXCEPTIONS FOR LEASED OR TRANSFERRED VEHICLE
20 [ADMINISTRATIVE FEE, NOTICE, OFFENSE].

21 SECTION 33. Sections 228.055(d), (d-1), and (e),
22 Transportation Code, are amended to read as follows:

23 (d) It is an exception to liability of a vehicle's
24 registered owner for a toll incurred by the vehicle ~~[the~~
25 ~~application of Subsection (a) or (c)]~~ if the registered owner of the
26 vehicle is a lessor of the vehicle and not later than the 30th day
27 after the date the invoice containing an assessment of the toll

1 ~~[notice of nonpayment]~~ is mailed provides to the department:

2 (1) a copy of the rental, lease, or other contract
3 document covering the vehicle on the date the toll was incurred ~~[of~~
4 ~~the nonpayment under Section 228.054 or the date the vehicle was~~
5 ~~driven or towed through a toll collection facility that results in a~~
6 ~~notice issued under Section 228.0545]~~, with the name and address of
7 the lessee clearly legible; or

8 (2) electronic data, in a format agreed on by the
9 department and the lessor, other than a photocopy or scan of a
10 rental or lease contract, that contains the information required
11 under Sections 521.460(c)(1), (2), and (3) covering the vehicle on
12 the date the toll was incurred ~~[of the nonpayment under Section~~
13 ~~228.054 or the date the vehicle was driven or towed through a toll~~
14 ~~collection facility that results in a notice issued under Section~~
15 ~~228.0545]~~.

16 (d-1) If the lessor provides the required information
17 within the period prescribed under Subsection (d), the department
18 may send an invoice ~~[a notice of nonpayment]~~ to the lessee at the
19 address provided under Subsection (d) by first class mail before
20 the 30th day after the date of receipt of the required information
21 from the lessor. ~~[The lessee of the vehicle for which the proper~~
22 ~~toll was not paid who is mailed a written notice of nonpayment under~~
23 ~~this subsection and fails to pay the proper toll and administrative~~
24 ~~fee within the time specified by the notice of nonpayment commits an~~
25 ~~offense. The lessee shall pay a separate toll and administrative~~
26 ~~fee for each event of nonpayment. Each failure to pay a toll or~~
27 ~~administrative fee under this subsection is a separate offense.]~~

1 (e) It is an exception to liability of a vehicle's
2 registered owner for a toll incurred by the vehicle [~~the~~
3 ~~application of Subsection (a) or (c)] if the registered owner of the
4 vehicle transferred ownership of the vehicle to another person
5 before the toll was incurred [~~event of nonpayment under Section~~
6 ~~228.054 occurred or before the date the vehicle was driven or towed~~
7 ~~through a toll collection facility that results in a notice issued~~
8 ~~under Section 228.0545]~~, submitted written notice of the transfer
9 to the department in accordance with Section 501.147, and, before
10 the 30th day after the date the invoice [~~notice of nonpayment~~] is
11 mailed, provides to the department the name and address of the
12 person to whom the vehicle was transferred. If the former owner of
13 the vehicle provides the required information within the period
14 prescribed, the department may send an invoice [~~a notice of~~
15 ~~nonpayment~~] to the person to whom ownership of the vehicle was
16 transferred at the address provided by the former owner by first
17 class mail before the 30th day after the date of receipt of the
18 required information from the former owner. The department may
19 send all subsequent invoices [~~notices of nonpayment~~] associated
20 with the vehicle to the person to whom ownership of the vehicle was
21 transferred at the address provided by the former owner or an
22 alternate address provided by the subsequent owner or derived
23 through other reliable means. [~~The subsequent owner of the vehicle~~
24 ~~for which the proper toll was not paid who is mailed a written~~
25 ~~notice of nonpayment under this subsection and fails to pay the~~
26 ~~proper toll and administrative fee within the time specified by the~~
27 ~~notice of nonpayment commits an offense. The subsequent owner~~~~

1 ~~shall pay a separate toll and administrative fee for each event of~~
2 ~~nonpayment under Section 228.054 or 228.0545. Each failure to pay a~~
3 ~~toll or administrative fee under this subsection is a separate~~
4 ~~offense.]~~

5 SECTION 34. Section 228.056, Transportation Code, is
6 amended to read as follows:

7 Sec. 228.056. PRESUMPTIONS; PRIMA FACIE EVIDENCE;
8 DEFENSES. (a) In the prosecution of an offense under Section
9 228.0547 [~~228.054 or 228.055~~], proof that the vehicle was driven or
10 towed through the toll collection facility without payment of the
11 proper toll may be shown by a video recording, photograph,
12 electronic recording, or other appropriate evidence, including
13 evidence obtained by automated enforcement technology.

14 (b) In the prosecution of an offense under Section 228.0547
15 [~~228.055(c), (d-1), or (e)~~]:

16 (1) it is presumed that the invoice containing the
17 assessment for the toll [~~notice of nonpayment~~] was received on the
18 fifth day after the date of mailing;

19 (2) a computer record of the Texas Department of Motor
20 Vehicles of the registered owner of the vehicle is prima facie
21 evidence of its contents and that the defendant was the registered
22 owner of the vehicle when the toll was incurred [~~underlying event of~~
23 ~~nonpayment under Section 228.054 occurred or on the date the~~
24 ~~vehicle was driven or towed through a toll collection facility that~~
25 ~~results in a notice issued under Section 228.0545~~]; and

26 (3) a copy of the rental, lease, or other contract
27 document, or the electronic data provided to the department under

1 Section 228.055(d), covering the vehicle on the date the toll was
2 incurred [~~of the underlying event of nonpayment under Section~~
3 ~~228.054~~ or on the date the vehicle was driven or towed through a
4 toll collection facility that results in a notice issued under
5 ~~Section 228.0545~~] is prima facie evidence of its contents and that
6 the defendant was the lessee of the vehicle when the toll was
7 incurred [~~underlying event of nonpayment under Section 228.054~~
8 ~~occurred~~ or when the vehicle was driven or towed through a toll
9 collection facility that results in a notice issued under Section
10 ~~228.0545~~].

11 (c) It is a defense to prosecution under Section 228.0547
12 [~~228.055(c), (d-1), or (e)~~] that the motor vehicle in question was
13 stolen before the toll was incurred [~~failure to pay the proper toll~~
14 ~~occurred~~] and had not been recovered before the toll was incurred
15 [~~failure to pay occurred~~], but only if the theft was reported to the
16 appropriate law enforcement authority before the earlier of:

17 (1) the time the toll was incurred [~~the occurrence of~~
18 ~~the failure to pay~~]; or

19 (2) eight hours after the discovery of the theft.

20 SECTION 35. Section 228.059, Transportation Code, is
21 amended to read as follows:

22 Sec. 228.059. TOLL COLLECTION AND ENFORCEMENT BY OTHER
23 ENTITY[~~, OFFENSE~~]. An entity operating a toll lane pursuant to
24 Section 228.007(b) has, with regard to toll collection and
25 enforcement for that toll lane, the same powers and duties as the
26 department under this chapter. [~~A person who fails to pay a toll or~~
27 ~~administrative fee imposed by the entity commits an offense. Each~~

1 ~~failure to pay a toll or administrative fee imposed by the entity is~~
2 ~~a separate offense. An offense under this section is a misdemeanor~~
3 ~~punishable by a fine not to exceed \$250, and the provisions of~~
4 ~~Section 228.056 apply to the prosecution of the offense under this~~
5 ~~section.]~~ The entity may use revenues for improvement, extension,
6 expansion, or maintenance of the toll lane.

7 SECTION 36. The heading to Subchapter E, Chapter 228,
8 Transportation Code, is amended to read as follows:

9 SUBCHAPTER E. LIMITATION ON TOLL FACILITY DESIGNATION
10 [~~DETERMINATION~~]; CONVERSION OF NONTOLLED STATE HIGHWAY

11 SECTION 37. Section 228.201, Transportation Code, is
12 amended by amending Subsection (a) and adding Subsections (c) and
13 (d) to read as follows:

14 (a) The department may not operate a nontolled state highway
15 or a segment of a nontolled state highway as a toll project, and may
16 not transfer a highway or segment to another entity for operation as
17 a toll project, unless:

18 (1) the commission by order designated the highway or
19 segment as a toll project before the contract to construct the
20 highway or segment was awarded;

21 (2) the project was designated as a toll project in a
22 plan or program of a metropolitan planning organization on or
23 before September 1, 2005;

24 (3) the highway or segment is reconstructed so that
25 the number of nontolled lanes on the highway or segment is greater
26 than or equal to the number in existence before the reconstruction;
27 or

1 (4) a facility is constructed adjacent to the highway
2 or segment so that the number of nontolled lanes on the converted
3 highway or segment and the adjacent facility together is greater
4 than or equal to the number in existence on the converted highway or
5 segment before the conversion~~[, or~~

6 ~~[(5) subject to Subsection (b), the highway or segment~~
7 ~~was open to traffic as a high-occupancy vehicle lane on May 1,~~
8 ~~2005].~~

9 (c) In determining the number of nontolled lanes required to
10 comply with Subsection (a)(3), the department:

11 (1) may consider only a general-purpose lane that is
12 part of the highway; and

13 (2) may not consider a lane of a frontage road to be a
14 nontolled lane before or after reconstruction of the highway.

15 (d) The department may not operate any part of State Highway
16 255 in Webb County as a toll project.

17 SECTION 38. Subchapter E, Chapter 228, Transportation Code,
18 is amended by adding Section 228.207 to read as follows:

19 Sec. 228.207. CÉSAR CHÁVEZ FREEWAY. (a) In this section,
20 "César Chávez Freeway" means the portion of Loop 375 in El Paso
21 County between Interstate Highway 10 and Santa Fe Street.

22 (b) If the Camino Real Regional Mobility Authority approves
23 the conversion of the portion of the César Chávez Freeway that is
24 operated as a toll project to a nontolled project:

25 (1) any money advanced by the department to the
26 authority for the construction or maintenance of a toll project on
27 the César Chávez Freeway that is unexpended on the effective date of

1 the conversion shall be used for the construction of the Loop 375
2 Border Highway West Project in El Paso County from Race Track Drive
3 to U.S. Highway 54 and added to the authority's obligation for that
4 project under terms agreeable to the department; and

5 (2) the department shall maintain the César Chávez
6 Freeway as part of the state highway system without tolls.

7 SECTION 39. Section 366.301(c), Transportation Code, is
8 amended to read as follows:

9 (c) An obligation or expense incurred by the commission or
10 department under this section is a part of the cost of the turnpike
11 project for which the obligation or expense was incurred. The
12 commission or department shall [~~may~~] require money contributed by
13 the commission or department under this section to be repaid. The
14 commission or department may require the money to be repaid from
15 tolls or other revenue of the turnpike project or system on which
16 the money was spent. Money repaid as required by the commission or
17 department shall be deposited to the credit of the fund from which
18 the contribution was made. Money deposited as required by this
19 section is exempt from the application of Section 403.095,
20 Government Code.

21 SECTION 40. Section 370.033(m), Transportation Code, is
22 amended to read as follows:

23 (m) If an authority receives money from the general revenue
24 fund, the Texas Mobility Fund, or the state highway fund, it:

25 (1) may use the money only to acquire, design,
26 finance, construct, operate, or maintain a turnpike project under
27 Section 370.003(14)(A) or (D) or a transit system under Section

1 370.351; and

2 (2) must repay the money.

3 SECTION 41. Sections 370.301(c) and (f), Transportation
4 Code, are amended to read as follows:

5 (c) An obligation or expense incurred by the commission or
6 department under this section is a part of the cost of the turnpike
7 project for which the obligation or expense was incurred. The
8 commission or department shall [~~may~~] require money contributed by
9 the commission or department under this section to be repaid. The
10 commission or department may require the money to be repaid from
11 tolls or other revenue of the turnpike project on which the money
12 was spent. Money repaid as required by the commission or department
13 shall be deposited to the credit of the fund from which the
14 contribution was made. Money deposited as required by this section
15 is exempt from the application of Section 403.095, Government Code.

16 (f) The commission may [~~grant or~~] loan department money to
17 an authority for the acquisition of land for or the construction,
18 maintenance, or operation of a turnpike project. The commission
19 shall [~~may~~] require the authority to repay money loaned [~~provided~~]
20 under this section. The commission may require the money to be
21 repaid from toll revenue or other sources on terms established by
22 the commission.

23 SECTION 42. Subchapter A, Chapter 372, Transportation Code,
24 is amended by adding Section 372.002 to read as follows:

25 Sec. 372.002. REPAYMENT OF MONEY CONTRIBUTED BY DEPARTMENT.

26 (a) A toll project entity shall repay to the department any money
27 contributed by the department as participation in the cost of the

1 entity's toll projects, including money from the state highway
2 fund, the Texas Mobility Fund, or other sources available to the
3 department.

4 (b) Each year, the department shall:

5 (1) for each department district, determine the amount
6 of money repaid to the department under Subsection (a) in the
7 previous year that is attributable to projects located in the
8 district; and

9 (2) in addition to other amounts, allocate to each
10 department district an amount of money equal to the amount
11 determined for the district under Subdivision (1) to be used for
12 transportation projects located in that district.

13 (c) If a transportation project that was the subject of
14 repayment of department contributions is located in more than one
15 department district, the department may reasonably allocate the
16 repayments from that project between the districts in which the
17 project is located.

18 (d) Notwithstanding any other law, including Sections
19 222.103(a), 366.301(c), 370.033(m), and 370.301(c) and (f), a toll
20 project entity is not required to repay:

21 (1) funds held in a subaccount created under Section
22 228.012; or

23 (2) funds contributed by the department for a project
24 if a toll project entity commenced the environmental review process
25 for the project on or before January 1, 2014.

26 SECTION 43. Subchapter B, Chapter 391, Transportation Code,
27 is amended by adding Sections 391.038 and 391.039 to read as

1 follows:

2 Sec. 391.038. SIGN HEIGHT. (a) This section applies only
3 to a sign existing on March 1, 2017, that was erected before that
4 date.

5 (b) A sign described by Subsection (a) may not be higher
6 than 85 feet, excluding a cutout that extends above the rectangular
7 border of the sign, measured:

8 (1) from the grade level of the centerline of the
9 main-traveled way, not including a frontage road of a controlled
10 access highway, closest to the sign at a point perpendicular to the
11 sign location; or

12 (2) if the main-traveled way is below grade, from the
13 base of the sign structure.

14 (c) A person may rebuild a sign described by Subsection (a)
15 without obtaining a new or amended permit from the department,
16 provided that the sign is rebuilt at the same location where the
17 sign existed on March 1, 2017, and at a height that does not exceed
18 the height of the sign on that date.

19 Sec. 391.039. SPACING REQUIREMENTS IN CERTAIN
20 MUNICIPALITIES. (a) In this section, "electronic sign" means a
21 sign that changes its message or copy by programmable electronic or
22 mechanical processes.

23 (b) The department, in regulating outdoor advertising
24 located in the corporate boundaries of a municipality with a
25 population of more than 200,000 located in a county on the
26 Texas-Mexico border with a population of less than 300,000, may not
27 require an electronic sign owned by the municipality to be more than

1 500 feet from another sign.

2 SECTION 44. Section 550.025(a), Transportation Code, is
3 amended to read as follows:

4 (a) The operator of a vehicle involved in an accident
5 resulting only in damage to a structure adjacent to a highway or a
6 fixture or landscaping legally on or adjacent to a highway shall:

7 (1) take reasonable steps to locate and notify the
8 owner or person in charge of the property of the accident and of the
9 operator's name and address and the registration number of the
10 vehicle the operator was driving; and

11 (2) if requested and available, show the operator's
12 driver's license to the owner or person in charge of the property[+
13 ~~and~~

14 [~~(3) report the accident if required by Section~~
15 ~~550.061~~].

16 SECTION 45. Effective September 1, 2019, Section
17 550.062(b), Transportation Code, is amended to read as follows:

18 (b) The report required by Subsection (a) must be filed
19 electronically with the department not later than the 10th day
20 after the date of the accident.

21 SECTION 46. Section 550.064(b), Transportation Code, is
22 amended to read as follows:

23 (b) An accident report form prepared by the department must:

24 (1) require sufficiently detailed information to
25 disclose the cause and conditions of and the persons and vehicles
26 involved in an accident if the form is for the report to be made by a
27 person [~~involved in or~~] investigating the accident;

1 (2) include a way to designate and identify a peace
2 officer, firefighter, or emergency medical services employee who is
3 involved in an accident while driving a law enforcement vehicle,
4 fire department vehicle, or emergency medical services vehicle
5 while performing the person's duties;

6 (3) require a statement by a person described by
7 Subdivision (2) as to the nature of the accident; and

8 (4) include a way to designate whether an individual
9 involved in an accident wants to be contacted by a person seeking to
10 obtain employment as a professional described by Section 38.01(12),
11 Penal Code.

12 SECTION 47. Section 550.065(a), Transportation Code, is
13 amended to read as follows:

14 (a) This section applies only to the following information
15 that is held by the department or another governmental entity:

16 (1) a written report of an accident required under:

17 (A) Section ~~[550.061]~~ 550.062; ~~[7]~~ or

18 (B) former Section 550.061 or 601.004 before
19 September 1, 2017; or

20 (2) accident report information compiled under
21 Section 201.806.

22 SECTION 48. Section 550.067(c), Transportation Code, is
23 amended to read as follows:

24 (c) A municipality by ordinance may require the person in
25 charge of a garage or repair shop where a motor vehicle is brought
26 if the vehicle shows evidence of having been involved in an accident
27 described by ~~[requiring a report to be filed under]~~ Section

1 550.062(a) [~~550.061 or 550.062~~] or shows evidence of having been
2 struck by a bullet to report to a department of the municipality
3 within 24 hours after the garage or repair shop receives the motor
4 vehicle, giving the engine number, registration number, and the
5 name and address of the owner or operator of the vehicle.

6 SECTION 49. Section 550.068, Transportation Code, is
7 amended to read as follows:

8 Sec. 550.068. CHANGING ACCIDENT REPORT. (a) Except as
9 provided by Subsection (b), a change in or a modification of a
10 written report of a motor vehicle accident prepared by a peace
11 officer [~~or the operator of a vehicle involved in an accident~~] that
12 alters a material fact in the report may be made only by the peace
13 officer [~~or person~~] who prepared the report.

14 (b) A change in or a modification of the written report of
15 the accident may be made by a person other than the peace officer
16 [~~or the operator of the vehicle~~] if:

17 (1) the change is made by a written supplement to the
18 report; and

19 (2) the written supplement clearly indicates the name
20 of the person who originated the change.

21 SECTION 50. Section 601.005, Transportation Code, is
22 amended to read as follows:

23 Sec. 601.005. EVIDENCE IN CIVIL SUIT. A [~~On the filing of a~~
24 ~~report under Section 601.004, a~~] person at a trial for damages may
25 not refer to or offer as evidence of the negligence or due care of a
26 party:

27 (1) an action taken by the department under this

1 chapter;

2 (2) the findings on which that action is based; or

3 (3) the security or evidence of financial
4 responsibility filed under this chapter.

5 SECTION 51. Sections 601.007(b) and (c), Transportation
6 Code, are amended to read as follows:

7 (b) The provisions of this chapter [~~, other than Section~~
8 ~~601.004,~~] do not apply to an officer, agent, or employee of the
9 United States, this state, or a political subdivision of this state
10 while operating a government vehicle in the course of that person's
11 employment.

12 (c) The provisions of this chapter, other than Section
13 [~~Sections 601.004 and~~] 601.054, do not apply to a motor vehicle that
14 is subject to Chapter 643.

15 SECTION 52. Section 601.154(c), Transportation Code, is
16 amended to read as follows:

17 (c) In determining whether there is a reasonable
18 probability that a judgment will be rendered against the person as a
19 result of an accident and the amount of security that is sufficient
20 under Subsection (a), the department may consider:

21 (1) a report of an investigating officer; and

22 (2) [~~an accident report of a party involved, and~~

23 [~~(3)~~] an affidavit of a person who has knowledge of the
24 facts.

25 SECTION 53. Section 707.004(f), Transportation Code, is
26 amended to read as follows:

27 (f) Not later than December 1 of each year, the department

1 shall publish on the department's Internet website the information
2 submitted by a local authority under Subsection (d).

3 SECTION 54. Sections 730.003(4) and (6), Transportation
4 Code, are amended to read as follows:

5 (4) "Motor vehicle record" means a record that
6 pertains to a motor vehicle operator's or driver's license or
7 permit, motor vehicle registration, motor vehicle title, or
8 identification document issued by an agency of this state or a local
9 agency authorized to issue an identification document. The term
10 does not include:

11 (A) a record that pertains to a motor carrier; or

12 (B) an accident report prepared under:

13 (i) Chapter 550; or

14 (ii) former Section 601.004 before
15 September 1, 2017 [~~601~~].

16 (6) "Personal information" means information that
17 identifies a person, including an individual's photograph or
18 computerized image, social security number, driver identification
19 number, name, address, but not the zip code, telephone number, and
20 medical or disability information. The term does not include:

21 (A) information on vehicle accidents, driving or
22 equipment-related violations, or driver's license or registration
23 status; or

24 (B) information contained in an accident report
25 prepared under:

26 (i) Chapter 550; or

27 (ii) former Section 601.004 before

1 September 1, 2017 [~~601~~].

2 SECTION 55. Section 2167.001(a), Government Code, is
3 amended to read as follows:

4 (a) This chapter applies to:

5 (1) office space;

6 (2) warehouse space;

7 (3) laboratory space;

8 (4) storage space exceeding 1,000 gross square feet;

9 (5) boat storage space;

10 (6) aircraft hangar space other than hangar space and
11 adjacent space leased by the Texas Department of Transportation
12 [~~State Aircraft Pooling Board~~] at Austin-Bergstrom International
13 Airport and operated for the purpose of providing air
14 transportation services for the State of Texas;

15 (7) vehicle parking space; and

16 (8) a combination of those kinds of space.

17 SECTION 56. Section 2175.191(c), Government Code, is
18 amended to read as follows:

19 (c) Proceeds from the sale of surplus and salvage property
20 of the Texas Department of Transportation relating to the
21 department's duties under Chapter 2205 [~~State Aircraft Pooling~~
22 ~~Board~~] shall be deposited to the credit of the department [~~board~~].

23 SECTION 57. The heading to Subchapter A, Chapter 2205,
24 Government Code, is amended to read as follows:

25 SUBCHAPTER A. [~~STATE AIRCRAFT POOLING BOARD,~~] GENERAL PROVISIONS

26 SECTION 58. Section 2205.002(1), Government Code, is
27 amended to read as follows:

1 (1) "Department [~~Board~~]" means the Texas Department of
2 Transportation [~~State Aircraft Pooling Board~~].

3 SECTION 59. Section 2205.012, Government Code, is amended
4 to read as follows:

5 Sec. 2205.012. STAFF. [~~(a)~~] The department [~~board~~] may
6 employ and compensate staff as provided by legislative
7 appropriation or may use staff provided by the comptroller or the
8 state auditor's office.

9 [~~(b) The board shall develop and implement policies that~~
10 ~~clearly define the respective responsibilities of the board and the~~
11 ~~staff the board uses.~~]

12 SECTION 60. Section 2205.032, Government Code, is amended
13 to read as follows:

14 Sec. 2205.032. CUSTODY, CONTROL, OPERATION, AND
15 MAINTENANCE. (a) The department [~~board~~] shall operate a pool for
16 the custody, control, operation, and maintenance of all aircraft
17 owned or leased by the state.

18 (b) The department [~~board~~] may purchase aircraft with funds
19 appropriated for that purpose.

20 (c) As part of the strategic plan that the department
21 [~~board~~] develops and submits under Chapter 2056, the department
22 [~~board~~] shall develop a long-range plan for its pool of aircraft.
23 The department [~~board~~] shall include [~~appropriate portions of~~] the
24 long-range plan in the department's [~~its~~] legislative
25 appropriations request if the department identifies the need for
26 additional appropriations and the additional appropriations are
27 related to the department's duties under this chapter. The

1 long-range plan must include:

2 (1) estimates of future aircraft replacement needs and
3 other fleet management needs, including:

4 (A) any projected need to increase or decrease
5 the number of aircraft in the pool;

6 (B) estimates of the remaining useful life for
7 each aircraft in the pool; and

8 (C) a proposed schedule for replacing aircraft in
9 the pool;

10 (2) a range of alternatives and scenarios for the
11 number and types of aircraft in the pool;

12 (3) an analysis of current usage of aircraft in the
13 pool, including customer base and documented rationale for use;

14 (4) the status of maintenance time and costs and
15 projected future trends regarding maintenance time and costs;

16 (5) any documented high-risk mechanical issues with
17 aircraft in the pool;

18 (6) an analysis of the costs and benefits of different
19 methods for meeting air transportation currently provided by the
20 department under Section [2205.036](#), including:

21 (A) the potential use of statewide contracts for
22 private charter aircraft services;

23 (B) increased reliance on commercial carriers
24 for routine travel;

25 (C) decreasing the number of aircraft in the pool
26 and increasing the use of contracted flight services; and

27 (D) any other method the department considers

1 feasible; and

2 (7) an analysis of the impact of including capital
3 recovery costs in the rates the department charges under Section
4 2205.040 that, at a minimum, includes the impact of those included
5 costs on customer utilization and the department's schedule for
6 replacing aircraft in the pool.

7 (d) In developing the long-range plan, the department
8 [~~board~~] shall consider at a minimum for each aircraft in the pool:

9 (1) how much the aircraft is used and the purposes for
10 which the aircraft [~~it~~] is used;

11 (2) the cost of operating the aircraft and the revenue
12 generated by the aircraft; and

13 (3) the demand for the aircraft or for that type of
14 aircraft.

15 (e) The department shall update the long-range plan
16 annually and make the plan available on the department's Internet
17 website.

18 SECTION 61. Section 2205.034, Government Code, is amended
19 to read as follows:

20 Sec. 2205.034. FACILITIES. (a) The department [~~board~~] may
21 acquire appropriate facilities for the accommodation of all
22 aircraft owned or leased by the state. The facilities may be
23 purchased or leased as determined by the department [~~board~~] to be
24 most economical for the state and as provided by legislative
25 appropriations. The facilities may include adequate hangar space,
26 an indoor passenger waiting area, a flight-planning area,
27 communications facilities, and other related and necessary

1 facilities.

2 (b) A state agency that operates an aircraft may not use a
3 facility in Austin other than a facility operated by the department
4 ~~[board]~~ for the storage, parking, fueling, or maintenance of the
5 aircraft, whether or not the aircraft is based in Austin. In a
6 situation the department ~~[board]~~ determines to be an emergency, the
7 department ~~[board]~~ may authorize a state agency to use a facility in
8 Austin other than a department ~~[board]~~ facility for the storage,
9 parking, fueling, or maintenance of an aircraft.

10 SECTION 62. Section 2205.035, Government Code, is amended
11 to read as follows:

12 Sec. 2205.035. AIRCRAFT LEASES. (a) The department
13 ~~[board]~~ by interagency contract may lease state-owned aircraft to a
14 state agency.

15 (b) A state agency that is the prior owner or lessee of an
16 aircraft has the first option to lease that aircraft from the
17 department ~~[board]~~.

18 (c) The lease may provide for operation or maintenance by
19 the department ~~[board]~~ or the state agency.

20 (d) A state agency may not expend appropriated funds for the
21 lease of an aircraft unless the department ~~[board]~~ executes the
22 lease or approves the lease ~~[by board order]~~.

23 (e) A state agency may not use money appropriated by the
24 legislature to rent or lease aircraft except from the department
25 ~~[board]~~ or as provided by Subsection (f). For purposes of this
26 subsection and Subsection (f), payments of mileage reimbursements
27 provided for by the General Appropriations Act are not rentals or

1 leases of aircraft.

2 (f) If the department [~~board~~] determines that no
3 state-owned aircraft is available to meet a transportation need
4 that has arisen or that a rental or lease of aircraft would reduce
5 the state's transportation costs, the department [~~board~~] shall
6 authorize a state agency to expend funds for the rental or lease of
7 aircraft, which may include a helicopter.

8 SECTION 63. Section [2205.036](#), Government Code, is amended
9 to read as follows:

10 Sec. 2205.036. PASSENGER TRANSPORTATION. (a) The
11 department [~~board~~] shall provide aircraft transportation, to the
12 extent that its aircraft are available, to:

13 (1) state officers and employees who are traveling on
14 official business according to the coordinated passenger
15 scheduling system and the priority scheduling system developed as
16 part of the aircraft operations manual under Section [2205.038](#);

17 (2) persons in the care or custody of state officers or
18 employees described by Subdivision (1); and

19 (3) persons whose transportation furthers official
20 state business.

21 (b) The department [~~board~~] may not provide aircraft
22 transportation to a passenger if the passenger is to be transported
23 to or from a place where the passenger:

24 (1) will make or has made a speech not related to
25 official state business;

26 (2) will attend or has attended an event sponsored by a
27 political party;

1 (3) will perform a service or has performed a service
2 for which the passenger is to receive an honorarium, unless the
3 passenger reimburses the department [~~board~~] for the cost of
4 transportation;

5 (4) will attend or has attended an event at which money
6 is raised for private or political purposes; or

7 (5) will attend or has attended an event at which an
8 audience was charged an admission fee to see or hear the passenger.

9 (c) The department [~~board~~] may not provide aircraft
10 transportation to a destination unless:

11 (1) the destination is not served by a commercial
12 carrier;

13 (2) the aircraft transportation is the most
14 cost-effective travel arrangement in accordance with Section
15 660.007(a) [~~time required to use a commercial carrier interferes~~
16 with passenger obligations]; [~~or~~]

17 (3) the number of passengers traveling makes the use
18 of a state aircraft cost-effective; or

19 (4) emergency circumstances necessitate the use of a
20 state aircraft.

21 (d) Before the executive director of the department or the
22 director's designee may authorize a person to use a state-operated
23 aircraft, the person must sign an affidavit stating that the person
24 is traveling on official state business. On filing of the
25 affidavit, the person may be authorized to use state-operated
26 aircraft for official state business for a period of one year. A
27 member of the legislature is not required to receive any other

1 additional authorization to use a state-operated aircraft.

2 (e) Before the executive director of the department or the
3 director's designee may authorize an employee of a state agency to
4 use a state-operated aircraft, the administrative head of the state
5 agency must certify that the employee's transportation complies
6 with the requirements of this section.

7 SECTION 64. Section 2205.038, Government Code, is amended
8 to read as follows:

9 Sec. 2205.038. AIRCRAFT OPERATIONS MANUAL. (a) The
10 department [~~board~~] shall:

11 (1) prepare a manual that establishes minimum
12 standards for the operation of aircraft by state agencies; and

13 (2) adopt procedures for the distribution of the
14 manual to state agencies.

15 (b) The manual must include provisions for:

16 (1) pilot certification standards, including medical
17 requirements for pilots;

18 (2) recurring training programs for pilots;

19 (3) general operating and flight rules;

20 (4) coordinated passenger scheduling; and

21 (5) other issues the department [~~board~~] determines are
22 necessary to ensure the efficient and safe operation of aircraft by
23 a state agency.

24 (c) The department [~~board~~] shall confer with and solicit the
25 written advice of state agencies the department [~~board~~] determines
26 are principal users of aircraft operated by the department [~~board~~]
27 and, to the extent practicable, incorporate that advice in the

1 development of the manual and subsequent changes to the manual.

2 (d) The department [~~board~~] shall give an officer normally
3 elected by statewide election priority in the scheduling of
4 aircraft. The department [~~board~~] by rule may require a 12-hour
5 notice by the officer to obtain the priority in scheduling.

6 SECTION 65. Section 2205.039, Government Code, is amended
7 to read as follows:

8 Sec. 2205.039. TRAVEL LOG. (a) The Legislative Budget
9 Board, in cooperation with the department [~~board~~], shall prescribe:

10 (1) a travel log form for gathering information about
11 the use of state-operated aircraft;

12 (2) procedures to ensure that individuals who travel
13 as passengers on or operate state-operated aircraft provide in a
14 legible manner the information requested of them by the form; and

15 (3) procedures for each state agency that operates an
16 aircraft for sending the form to the department [~~board~~] and the
17 Legislative Budget Board.

18 (b) The travel log form must request the following
19 information about a state-operated aircraft each time the aircraft
20 is flown:

21 (1) a mission statement, which may appear as a
22 selection to be identified from general categories appearing on the
23 form;

24 (2) the name, state agency represented, destination,
25 and signature of each person who is a passenger or crew member of
26 the aircraft;

27 (3) the date of each flight;

1 (4) a detailed and specific description of the
2 official business purpose of each flight; and

3 (5) other information determined by the Legislative
4 Budget Board and the department [~~board~~] to be necessary to monitor
5 the proper use of the aircraft.

6 (c) A state agency other than the department [~~Texas~~
7 ~~Department of Transportation~~] shall send the agency's travel logs
8 to the department on an annual basis. An agency is not required to
9 file a travel log with the department if the agency did not operate
10 an aircraft during the period covered by the travel log.

11 SECTION 66. Section [2205.040](#), Government Code, is amended
12 to read as follows:

13 Sec. 2205.040. RATES AND BILLING PROCEDURES; ACCOUNT FOR
14 CAPITAL REPLACEMENT COSTS. (a) Subject to Subsection (b), the
15 department [~~The board~~] shall adopt rates for interagency aircraft
16 services that are sufficient to recover, in the aggregate and to the
17 extent possible, all direct costs for the services provided,
18 including a state agency's pro rata share of major maintenance,
19 overhauls of equipment and facilities, and pilots' salaries.

20 (b) If the department's most recent long-term plan contains
21 an analysis under Section [2205.032](#)(c)(7) that finds that including
22 capital recovery costs in the rates the department charges under
23 this section is a practicable fleet replacement strategy, the
24 department may adopt rates for interagency aircraft services
25 provided by the department that are sufficient to recover, in the
26 aggregate and to the extent possible:

27 (1) all direct costs for services provided, as

1 provided by Subsection (a); and

2 (2) the capital costs of replacing aircraft in the
3 pool.

4 (c) The Legislative Budget Board, in cooperation with the
5 department [~~board~~] and the state auditor, shall prescribe a billing
6 procedure for passenger travel on state-operated aircraft.

7 (d) If the department adopts rates under Subsection (b), the
8 portion of the rates collected for the capital costs of replacing
9 aircraft in the pool shall be deposited in a separate account in the
10 state highway fund. Money in the account may be used only for the
11 acquisition of aircraft for the pool operated by the department
12 under Section [2205.032](#).

13 SECTION 67. Section [2205.041](#), Government Code, is amended
14 to read as follows:

15 Sec. 2205.041. AIRCRAFT USE FORM. (a) The department
16 [~~Texas Department of Transportation~~] shall prescribe:

17 (1) an annual aircraft use form for gathering
18 information about the use of state-operated aircraft, including the
19 extent to which and the methods by which the goal provided by
20 Section [2205.031](#)(b) is being met; and

21 (2) procedures for each state agency that operates an
22 aircraft for sending the form to the department.

23 (b) The aircraft use form must request the following
24 information about each aircraft a state agency operates:

25 (1) a description of the aircraft;

26 (2) the date purchased or leased and the purchase
27 price or lease cost;

- 1 (3) the number of annual hours flown;
- 2 (4) the annual operating costs;
- 3 (5) the number of flights and the destinations;
- 4 (6) the travel logs prepared under Section 2205.039;
- 5 and
- 6 (7) any other information the department [~~Texas~~
- 7 ~~Department of Transportation~~] requires to document the proper or
- 8 cost-efficient use of the aircraft.

9 SECTION 68. Section 2205.042, Government Code, is amended
10 to read as follows:

11 Sec. 2205.042. PILOTS. An individual who is not a pilot
12 employed by the department [~~board~~] may not operate a state-operated
13 aircraft unless the department [~~board~~] grants the individual a
14 specific exemption from that requirement.

15 SECTION 69. Section 2205.043(b), Government Code, is
16 amended to read as follows:

17 (b) The department [~~board~~] shall adopt rules, consistent
18 with federal regulations and Section 3101.001, governing the color,
19 size, and location of marks of identification required by this
20 section.

21 SECTION 70. Section 2205.044, Government Code, is amended
22 to read as follows:

23 Sec. 2205.044. FUEL AND MAINTENANCE CONTRACTS. The
24 department [~~board~~] may contract with a state or federal
25 governmental agency or a political subdivision to provide aircraft
26 fuel or to provide aircraft maintenance services.

27 SECTION 71. Section 2205.045(a), Government Code, is

1 amended to read as follows:

2 (a) The department [~~board~~] may purchase insurance to
3 protect the department [~~board~~] from loss caused by damage, loss,
4 theft, or destruction of aircraft owned or leased by the state and
5 shall purchase liability insurance to protect the officers and
6 employees of each state agency from loss arising from the operation
7 of state-owned aircraft.

8 SECTION 72. Section 2205.046, Government Code, is amended
9 to read as follows:

10 Sec. 2205.046. AIRCRAFT FOR FLIGHT TRAINING PROGRAMS.

11 (a) The department [~~board~~] may transfer aircraft to a public
12 technical institute or other public postsecondary educational
13 institution for use in the institution's flight training program.
14 Except as provided by this section, the department [~~board~~] has no
15 responsibility for continued maintenance of aircraft transferred
16 under this section.

17 (b) As a condition to the transfer of the aircraft, the
18 institution must certify in writing to the department [~~board~~] that
19 the institution will accept full responsibility for maintenance of
20 the aircraft and that it will be properly maintained while in the
21 custody and control of the institution. The department [~~board~~] is
22 entitled to inspect the aircraft without notice for the purpose of
23 ensuring [~~insuring~~] that the aircraft is [~~are~~] properly maintained.

24 (c) The department [~~board~~] may immediately reassume custody
25 and control of a transferred aircraft on a finding by the department
26 [~~board~~] that:

27 (1) the aircraft is not being properly maintained;

1 (2) the aircraft is being used for a purpose other than
2 flight training; or

3 (3) the institution has discontinued its flight
4 training program.

5 SECTION 73. Section 2205.047, Government Code, is amended
6 to read as follows:

7 Sec. 2205.047. INFORMATION POSTED ON THE INTERNET. The
8 department [~~board~~] shall post information related to travel and
9 other services provided by the department [~~board~~] on an Internet
10 website [~~site~~] maintained by or for the department [~~board~~]. The
11 site must be generally accessible to state agencies, persons who
12 use the department's [~~board's~~] services, and, to the extent
13 appropriate, the general public.

14 SECTION 74. The following provisions are repealed:

15 (1) Sections 2205.003, 2205.004, 2205.005, 2205.006,
16 2205.007, 2205.008, 2205.009, 2205.010, 2205.011, 2205.013,
17 2205.014, 2205.015, and 2205.017, Government Code; and

18 (2) Sections 201.404(b-2), 228.054(b) and (c),
19 228.055(a), (b), (c), (f), (g), (h), and (i), 228.201(b), 550.061,
20 and 601.004, Transportation Code.

21 SECTION 75. (a) Except as provided by Subsection (b) of
22 this section, Section 201.059, Transportation Code, as amended by
23 this Act, applies to a member of the Texas Transportation
24 Commission appointed before, on, or after the effective date of
25 this Act.

26 (b) A member of the Texas Transportation Commission who,
27 before the effective date of this Act, completed the training

1 program required by Section 201.059, Transportation Code, as that
2 law existed before the effective date of this Act, is only required
3 to complete additional training on the subjects added by this Act to
4 the training program as required by Section 201.059, Transportation
5 Code, as amended by this Act. A member of the commission described
6 by this subsection may not vote, deliberate, or be counted as a
7 member in attendance at a meeting of the commission held on or after
8 December 1, 2017, until the member completes the additional
9 training.

10 SECTION 76. The changes in law made by this Act in amending
11 Sections 222.103, 366.301, 370.033, and 370.301, Transportation
12 Code, and adding Section 372.002, Transportation Code, apply only
13 to a loan, grant, or other contribution made by the Texas Department
14 of Transportation or the Texas Transportation Commission on or
15 after the effective date of this Act. A loan, grant, or other
16 contribution made before the effective date of this Act is governed
17 by the law in effect on the date the loan, grant, or other
18 contribution is made, and the former law is continued in effect for
19 that purpose.

20 SECTION 77. Section 223.051, Transportation Code, as added
21 by this Act, applies only in relation to a contract for which the
22 request for bids or proposals or other applicable expression of
23 interest is made public on or after the effective date of this Act.

24 SECTION 78. (a) The repeal by this Act of Sections
25 228.201(a)(5) and (b), Transportation Code, does not apply to a
26 highway or segment of a highway being operated as a toll project by
27 the Texas Department of Transportation, or an entity under contract

1 with the department, before September 1, 2017, or to a project
2 included in the state's air quality state implementation plan
3 before September 1, 2017. A highway or segment of a highway being
4 operated as a toll project by the department, or an entity under
5 contract with the department, before September 1, 2017, or a
6 project included in the state's air quality state implementation
7 plan before September 1, 2017, is governed by Subchapter E, Chapter
8 228, Transportation Code, as it existed immediately before that
9 date, and the former law is continued in effect for that purpose.

10 (b) Section 228.201(c), Transportation Code, as added by
11 this Act, applies only to a highway reconstruction in accordance
12 with Section 228.201(a)(3), Transportation Code, that is begun on
13 or after the effective date of this Act. A reconstruction begun
14 before the effective date of this Act is governed by the law in
15 effect when the reconstruction began, and the former law is
16 continued in effect for that purpose.

17 SECTION 79. The changes in law made by this Act to the law
18 regarding toll collection procedures and billing apply only to a
19 toll incurred on or after March 1, 2018. A toll incurred before
20 March 1, 2018, is governed by the law in effect on the date the toll
21 was incurred, and the former law is continued in effect for that
22 purpose.

23 SECTION 80. (a) Not later than October 1, 2017, the Texas
24 Department of Transportation shall develop the procedures required
25 under Section 223.051, Transportation Code, as added by this Act.

26 (b) Not later than March 1, 2018, the Texas Department of
27 Transportation shall:

1 (1) complete a review and update of the long-term
2 transportation goals contained in the statewide transportation
3 plan under Section 201.601, Transportation Code, and make any
4 changes to the statewide transportation plan that are necessary to
5 implement the change in law made by this Act to Section 201.601,
6 Transportation Code, including adopting specific and clearly
7 defined transportation system strategies, long-term transportation
8 goals for the state and measurable targets for each goal, and other
9 related performance measures, to ensure that the department uses a
10 single set of transportation goals in all of the department's
11 transportation plans and policy efforts;

12 (2) make any changes to each of the department's
13 transportation plans and policy efforts that are necessary to
14 implement the change in law made by this Act to Section 201.6015,
15 Transportation Code;

16 (3) develop the plan required by Section
17 201.807(g)(3), Transportation Code, as added by this Act;

18 (4) develop and publish on the department's Internet
19 website the dashboard required by Section 201.8075, Transportation
20 Code, as added by this Act; and

21 (5) implement the recommended management actions
22 contained in Issue 4 of the Sunset Advisory Commission Staff Report
23 for the Texas Department of Transportation, 85th Legislature, that
24 were approved by the Sunset Advisory Commission.

25 (c) Not later than September 1, 2018, the Texas Department
26 of Transportation shall adopt the first long-range plan containing
27 the information required by Section 2205.032(c), Government Code,

1 as amended by this Act.

2 (d) Not later than September 1, 2018, the Texas
3 Transportation Commission shall:

4 (1) adopt the rules required by Sections 201.807(h),
5 201.991(b-1), 201.998(f), and 201.9992, Transportation Code, as
6 added by this Act, and Section 223.012, Transportation Code, as
7 amended by this Act; and

8 (2) adopt or modify any rules necessary to implement
9 the changes in law made by this Act to Sections 201.807, 201.991,
10 and 201.998, Transportation Code.

11 SECTION 81. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 312 passed the Senate on March 21, 2017, by the following vote: Yeas 30, Nays 0; May 19, 2017, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 24, 2017, House granted request of the Senate; May 27, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 312 passed the House, with amendments, on May 17, 2017, by the following vote: Yeas 139, Nays 0, two present not voting; May 24, 2017, House granted request of the Senate for appointment of Conference Committee; May 27, 2017, House adopted Conference Committee Report by the following vote: Yeas 144, Nays 2, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor