

BILL ANALYSIS

Senate Research Center
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S.B. 312
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Transportation
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of this bill is to enact the recommendations of the Sunset Advisory Commission regarding the Texas Department of Transportation (TxDOT). After a decade of intense legislative scrutiny including multiple Sunset reviews, frequent leadership changes, and continuing organizational flux, TxDOT is now embarking on another high-stakes transition as it prepares to spend billions of dollars in new funding provided by voters and the legislature. Generally, the Sunset Commission found TxDOT has made good-faith efforts to address previous concerns, but improvements most critical to its ability to meet high expectations are far from complete. The Sunset Commission's recommendations aim to keep pressure on TxDOT to follow through on many critical improvements needed to meet the high expectations that come with significant new funding. TxDOT is subject to abolishment under the Sunset Act on September 1, 2017, unless continued by the legislature. The Sunset Commission recommended continuing TxDOT for 12 years along with several other statutory modifications that are contained in this legislation.

The legislation addresses issues differently from current law by:

- requiring TxDOT to adopt one clear set of overall transportation goals and measures, publish an analysis linking funding decisions with these goals, and create an online dashboard report clearly communicating progress;
- requiring TxDOT to evaluate a project's strategic need before and separately from other factors when selecting and prioritizing projects;
- requiring TxDOT to clarify roles and responsibilities of TxDOT and planning organizations, streamline public information requirements relating to the Unified Transportation Program, and improve the project tracker system;
- requiring TxDOT to finalize implementation of its new process to monitor project development in each TxDOT district and publicly share resulting performance information;
- requiring TxDOT to implement standard contract oversight tools to improve timeliness of its traditional low-bid highway construction projects, including a broader range of contract remedies, more accurate liquidated damage amounts, and a new contractor evaluation process;
- requiring TxDOT to provide the legislature thorough analysis and options for the future of the state's aging aircraft fleet, and tightening accountability for state agency use of the planes;
- requiring electronic submission of law enforcement crash reports and elimination of an unnecessary driver crash report, redirecting data entry costs to traffic safety projects, and continuing TxDOT for the standard 12-year period.

As proposed, S.B. 312 amends current law relating to the continuation and functions of the Texas Department of Transportation, and authorizes an increase in rates charged for the use of state aircraft to provide for the acquisition of replacement aircraft.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Transportation Commission in SECTIONS 12, 16, 18, and 19 (Sections 201.991, 201.998, 201.9992, and 223.012, Transportation Code) of this bill.

Rulemaking authority previously granted to the Texas Transportation Commission is modified in SECTION 17 (Section 201.9991, Transportation Code) of this bill.

Rulemaking authority previously granted to the State Aircraft Pooling Board (SAPB) is transferred to the Texas Department of Transportation in SECTIONS 40 and 45 (Sections 2205.038 and 2205.043, Government Code) of this bill.

Rulemaking authority previously granted to SAPB is rescinded in SECTION 50 (Section 2205.010, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.069(a), Transportation Code, as follows:

(a) Requires the Texas Department of Transportation (TxDOT) to establish a state airport in Central Texas that is open to the general public. Deletes existing text requiring TxDOT to establish the airport in consultation with the State Aircraft Pooling Board (SAPB).

SECTION 2. Amends Section 201.059, Transportation Code, as follows:

Sec. 201.059. New heading: COMMISSION MEMBER TRAINING. (a) Prohibits a person who is appointed to and qualifies for office as a member of the Texas Transportation Commission (TTC) from voting, deliberating, or being counted as a member in attendance at a meeting of TTC until the person completes a training program that complies with this section. Deletes existing requiring a person to complete certain training to be eligible to take office as a member of TTC.

(b) Requires that the training program provide the person with information regarding:

- (1) the law governing TxDOT operations, rather than this subchapter;
- (2) the programs, functions, rules, and budget of TxDOT;
- (3) the scope and limitations on the rulemaking authority of TTC, rather than the role and functions of TxDOT;
- (4) the results of the most recent formal audit of TxDOT, rather than the rules of TxDOT. Deletes existing Subdivision (5) relating to a requirement to provide the current TxDOT budget;
- (5) redesignates existing Subdivision (7) as Subdivision (5). The requirements of:
 - (A) laws relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest, rather than the open meetings law, Chapter 551 (Open Meetings), Government Code; and
 - (B) other laws applicable to members of TTC in performing their duties, rather than the open records law, Chapter 552 (Public Information), Government Code. Deletes existing Paragraph (C), relating to providing information relating to the requirements of

administrative procedure law, Chapter 2001 (Administrative Procedure), Government Code. Deletes existing Subdivision (8), relating to the requirement to provide information relating to the requirements of conflict of interest laws and other laws relating to public officials; and

(6) redesignates existing Subdivision (9) as Subdivision (6). Any applicable ethics policies adopted by TxDOT, rather than TTC, or the Texas Ethics Commission.

(c) Provides that a person appointed to TTC is entitled to reimbursement, as provided by the General Appropriations Act, for the travel expenses incurred in attending the training program, regardless of whether the attendance at the program occurs before or after the person qualifies for office. Deletes existing text providing that a person appointed to TTC is entitled to reimbursement for certain expenses as provided by the General Appropriations Act and as if the person were a member of TTC.

(d) Requires the executive director of TxDOT (director) to create a training manual that includes the information required by Subsection (b). Requires the director to distribute a copy of the training manual annually to each TTC member. Requires each TTC member, on receipt of the training manual, to sign and submit to the director a statement acknowledging receipt of the training manual.

SECTION 3. Amends Section 201.204, Transportation Code, to provide that, unless continued in existence as provided by Chapter 325 (Sunset Law), Government Code, TxDOT is abolished September 1, 2029, rather than September 1, 2017.

SECTION 4. Amends Sections 201.601(a-1) and (d), Transportation Code, as follows:

(a-1) Includes clearly defined transportation system strategies and other related performance measures among the required content of a statewide transportation plan.

(d) Makes conforming and nonsubstantive changes.

SECTION 5. Amends Section 201.6013, Transportation Code, as follows:

Sec. 201.6013. LONG-TERM PLAN FOR STATEWIDE PASSENGER RAIL SYSTEM. (a) Requires TxDOT to:

(1) Creates this subdivision from existing text. Deletes existing text requiring the plan required by this subdivision to be updated annually; and

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

(b) Creates this subsection from existing text. Requires that information contained in the plan include:

(1) to (3) Makes no changes to these subdivisions;

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

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

(6) Creates this subdivision from existing text and makes no further changes to this subdivision; and

(7) Redesignates existing Subdivision (5) as Subdivision (7) and makes no further changes to this subdivision.

SECTION 6. Amends Section 201.6015, Transportation Code, as follows:

Sec. 201.6015. INTEGRATION OF PLANS AND POLICY EFFORTS. Requires TxDOT, in developing each of its transportation plans and policy efforts, to:

- (1) Creates this subdivision from existing text and makes a nonsubstantive change;
- (2) include in the plan or policy effort the transportation system strategies, goals, and measurable targets, and other related performance measures established under Section 201.601(a-1)(1) (relating to a requirement for a plan to contain certain specific, long-term transportation goals); and
- (3) specify how the plan or policy effort supports the specific goals established under Section 201.601(a-1)(1). Makes nonsubstantive changes.

SECTION 7. Amends Section 201.806(a), Transportation Code, to require TxDOT to publish certain statistical information annually or more frequently on the TxDOT Internet website.

SECTION 8. Amends Section 201.807, Transportation Code, by amending Subsection (a) and adding Subsections (g) and (h), as follows:

(a) Redefines "department project."

(g) Requires TxDOT to: conduct a comprehensive review of the project information reporting system; in conducting the required review, incorporate feedback from internal and external users of the system and advice from the TxDOT office responsible for public involvement; and develop a plan for implementing any needed improvements to the system.

(h) Requires TxDOT to conduct the review required by Subsection (g)(1) on a regular basis, as specified by TTC rule.

SECTION 9. Amends Subchapter J, Chapter 201, Transportation Code, by adding section 201.8075, as follows:

Sec. 201.8075. STATEWIDE TRANSPORTATION PLAN DASHBOARD. (a) Defines "dashboard."

(b) Requires TxDOT to develop and prominently display on the TxDOT Internet website a dashboard that clearly communicates to the public certain information relating to certain transportation system strategies and goals established under Section 201.601(a-1)(1) and TxDOT's progress in meeting these strategies and goals.

(c) Requires that the dashboard be in a format that is easy to navigate.

(d) Requires TxDOT to regularly update the information displayed on the dashboard and publish on TxDOT's Internet website the methodology and data used to determine TxDOT's progress.

SECTION 10. Amends Section 201.808, Transportation Code, by adding Subsection (i), as follows:

(i) Requires TxDOT to:

(1) conduct a comprehensive analysis regarding the effect of funding allocations made to funding categories described by Section 201.991(b) (relating to the requirement of TTC to create certain rules) and project selection decisions on accomplishing the goals described in the statewide transportation plan under Section 201.601 (Statewide Transportation Plan);

(2) provide the analysis to metropolitan planning organizations, the public, and each TTC member for the purpose of informing deliberations on funding decisions for the unified transportation program under Section 201.991 (Unified Transportation Program);

(3) update the analysis as part of TxDOT's annual update to the unified transportation program under Section 201.992 (Annual Update to Unified Transportation Program) and any other formal update to that program, and the evaluation and report required by Section 201.809 (Statewide Transportation Report);

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

(5) publish the methodology and data used to create the analysis on TxDOT's website and make the methodology and data available to the metropolitan planning organizations, the public, and TTC under Subdivision (2).

SECTION 11. Amends Section 201.809(a), Transportation Code, as follows:

(a) Requires TxDOT to promptly publish the report required by this subsection on TxDOT's Internet website in summary form. Includes the analysis required by Section 201.808(i) among the required content of the report.

SECTION 12. Amends Section 201.991, Transportation Code, by adding Subsections (b-1) and (e) and amending Subsection (d), as follows:

(b-1) Requires TTC by rule to adopt a policy comprehensively explaining TxDOT's approach to public involvement and transparency related to the unified transportation program; and require TxDOT to, at a minimum, make a report on any change to the unified transportation program available on the TxDOT Internet website and provide the report to TTC in a public meeting, regardless of any rules adopted for public hearings and approvals.

(d) Requires TTC to collaborate with local transportation entities in developing the rules required by Subsection (b), rather than by this section.

(e) Requires TTC to collaborate with stakeholders in developing the policy required by Subsection (b-1)(1).

SECTION 13. Amends Section 201.992(b), Transportation Code, to include the analysis required by Section 201.808(i) among the required content of the annual update.

SECTION 14. Amends Sections 201.993(a) and (c), Transportation Code, as follows:

(a) Requires TxDOT to develop and publish annually a forecast of all funds the department expects to receive, including funds from this state and the federal government, on the TxDOT Internet website.

(c) Makes a conforming change.

SECTION 15. Amends Section 201.995, Transportation Code, by adding Subsection (d), as follows:

(d) Requires TTC, in prioritizing and approving projects under Section 201.9991 (Prioritization and Approval of Projects by Commission) that are included in the unified transportation program, to first evaluate projects on strategic need and potential contribution toward meeting the transportation goals established under Section 201.601(a-1)(1). Authorizes TTC, after conducting that initial evaluation to conduct a secondary evaluation based on other factors such as funding availability and project readiness.

SECTION 16. Amends Section 201.998, Transportation Code, as follows:

Sec. 201.998. New heading: DISTRICT PROJECT PORTFOLIOS. (a) Requires each TxDOT district to develop a certain consistently formatted project portfolio, rather than work program, covering a period of at least four years.

(b) Requires TxDOT to develop comprehensive performance measures for key steps in the project development process for projects included in each district's project portfolio. Requires TxDOT to use the performance measures developed under this subsection to track and report whether each district is developing an appropriate mix of projects and on track to meet letting targets that are consistent with applicable TxDOT policy governing when a project should be bid on for a contract awarded by TxDOT. Deletes existing text requiring the work program to contain certain information relating to the progress of certain projects.

(c) Requires TxDOT to conduct a review of project development activities in each district's project portfolio on a regular basis and use the review to monitor and evaluate the performance of each district. Deletes existing text requiring TxDOT to use the work program to monitor and evaluate the performance of a district and its employees.

(d) Requires TxDOT, in conducting the review required by Subsection (c), to, when appropriate, seek input from key stakeholders such as local government project sponsors or metropolitan planning organizations. Deletes existing text requiring TxDOT to publish the work program in certain media.

(e) Requires TTC to adopt rules as necessary to administer this section.

(f) Requires TTC to adopt and regularly update rules governing the overall planning, review, and monitoring process created by this section; specifying how planning and project stakeholders can become involved in the process; and requiring TxDOT to regularly report results under this section to TTC and the public and specifying the method for reporting those results.

(g) Requires TTC to consult a stakeholder group before adopting or updating rules under Subsection (f).

SECTION 17. Amends Section 201.9991(a), Transportation Code, to require TTC by rule to prioritize and approve certain projects, including projects in the unified transportation program under Section 201.991.

SECTION 18. Amends Subchapter P, Chapter 201, Transportation Code, by adding Section 201.9992, as follows:

Sec. 201.9992. ROLES AND RESPONSIBILITIES OF DEPARTMENT AND METROPOLITAN PLANNING ORGANIZATIONS. (a) Requires TTC to adopt rules governing the alignment of TxDOT's state and federal funding forecasts with the funding forecasts of metropolitan planning organizations including certain transportation plans and cooperation with metropolitan planning organizations.

(b) Requires that a rule adopted under Subsection (a)(3) take into consideration a metropolitan planning organization's other deadlines and requirements in federal law.

(c) Requires TTC to consult a stakeholder group before developing the rules required by Subsection (a).

SECTION 19. Amends Section 223.012, Transportation Code, as follows:

Sec. 232.012. CONTRACTOR PERFORMANCE. (a) Requires the TTC to:

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

(2) Creates this subdivision from existing text. Requires TTC to adopt rules to develop and implement a certain schedule for liquidated damages; and

(3) Creates this subsection from existing text. Requires TTC to adopt rules to develop a contractor performance evaluation process and an evaluation tool that allows for a certain review and contains certain criteria for modifying a contractor's bidding capacity. Deletes existing text requiring TxDOT to conduct a review to determine whether TTC rules or state law should be changed to realize significant cost and time savings on state highway projects.

(b) Requires TTC, in developing the rules required by Subsection (a)(1), to consult with industry contractors; and consider contract remedies used by other state agencies and departments of transportation in other states. Deletes existing text requiring TxDOT to file a certain report.

(c) Requires that the rules adopted under Subsection (a)(2) include criteria for identifying projects that have a significant impact on the traveling public and require TxDOT to calculate project-specific liquidated damages for those projects that reflect the true cost of travel delays.

(d) Requires TTC to consult with industry contractors in developing the evaluation tool required by Subsection (a)(3).

(e) Requires that the rules adopted under Subsection (a)(3) provide for a process for contractors to appeal the contractors' evaluations; and include criteria for the use of the evaluations by TxDOT to address contractor performance problems.

SECTION 20. Amends Section 550.025(a), Transportation Code, as follows:

(a) Deletes existing Subdivision (3) requiring the operator of a vehicle involved in certain accidents to report the accident under certain circumstances. Makes nonsubstantive changes.

SECTION 21. Amends Section 550.062(b), Transportation Code, effective September 1, 2019, to require that the report required by this section be filed electronically.

SECTION 22. Amends Section 550.064(b), Transportation Code, as follows:

(b) Requires that an accident report form prepared by TxDOT require that certain information be included in a report made by a person investigating, rather than a person investigating or a person involved in, the accident.

SECTION 23. Amends Section 550.065(a), Transportation Code, as follows:

(a) Provides that this section applies only to the following information that is held by TxDOT or another governmental entity:

(1) a written report of an accident required under Section 550.062 (Officer's Accident Report), rather than 550.061 (Operator's Accident Report) or former Section 5505.061 or 601.004 (Accident Report) before September 1, 2017; or

(2) makes no changes to this subdivision.

SECTION 24. Amends Section 550.067(c), Transportation Code, as follows:

(c) Authorizes a municipality to require the person in charge of certain garages or repair shops if a vehicle shows evidence of having been involved in an accident described by Section 550.062(a), rather than an accident requiring a report to be filed under Section 550.061 or 550.062, to report the damage to certain entities.

SECTION 25. Amends Section 550.068, Transportation Code, as follows:

Sec. 550.068. CHANGING ACCIDENT REPORT. (a) Provides that, except as provided by Subsection (b), a change in or a modification of a written report of a motor vehicle accident prepared by a peace officer, rather a peace officer or the operator of a vehicle involved in an accident, that alters a material fact in the report may be made only by the peace officer, rather than the peace officer or person, who made the report.

(b) Makes a conforming change.

SECTION 26. Amends Section 601.005, Transportation Code, as follows:

Sec. 601.005. EVIDENCE IN CIVIL SUIT. Deletes existing text creating a prohibition on the offering of certain evidence on the filing of a report under Section 601.004.

SECTION 27. Amends Sections 601.007(b) and (c), Transportation Code, as follows:

(b) Deletes existing text creating an exception for the provisions of Section 601.004.

(c) Makes conforming changes.

SECTION 28. Amends Section 601.154(c), Transportation Code, to delete existing text authorizing TxDOT to consider an accident report of a party involved in making certain determination. Redesignates existing Subdivision (3) as Subdivision (2).

SECTION 29. Amends Section 707.004(f), Transportation Code, to require TxDOT to publish certain information on the TxDOT Internet website.

SECTION 30. Amends Sections 730.003(4) and (6), Transportation Code, to redefine "motor vehicle record" and "personal information."

SECTION 31. Amends Section 2167.001(a), Government Code, as follows:

(a) Provides that this chapter applies to:

(1) to (5) Makes no changes to these subdivisions.

(6) aircraft hangar space other than hangar space and adjacent space leased by TxDOT, rather than by SAPB.

SECTION 32. Amends Section 2175.191(c), Government Code, as follows:

(c) Requires that proceeds from the sale of surplus and salvage property of TxDOT relating to TxDOT's duties under Chapter 2205 (Aircraft Pooling) be deposited to the credit of TxDOT, rather than requires the proceeds from the sale of certain SAPB property to be deposited to the credit of SAPB.

SECTION 33. Amends the heading to Subchapter A, Chapter 2205, Government Code, to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 34. Amends Section 2205.002(1), Government Code, to define "department" and delete the existing definition of "board."

SECTION 35. Amends Section 2205.012, Government Code, as follows:

Sec. 2205.012. STAFF. Makes a conforming change and deletes existing Subsection (b) requiring SAPB to develop and implement certain policies.

SECTION 36. Amends Section 2205.032, Government Code, as follows:

Sec. 2205.032. CUSTODY, CONTROL, OPERATION, AND MAINTENANCE. (a) and (b) Makes conforming changes.

(c) Requires that the TxDOT, rather than SAPB, strategic plan required by this section include certain information in its appropriations request if TxDOT identifies the need for additional appropriations and the additional appropriations are related to TxDOT's duties under this chapter. Requires that the long-range plan include:

(1) Creates this subdivision from existing text. Requires the long-range plan to include certain estimates, including estimates of the remaining useful life for each aircraft in the pool and a proposed schedule for replacing aircraft in the pool;

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

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

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

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

(6) an analysis of the costs and benefits of different methods for meeting air transportation currently provided by TxDOT under Section 2205.036, including certain information relating to the use and number of aircraft in the pool; and

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

(d) Makes conforming and nonsubstantive changes.

(e) Requires TxDOT to update the long-range plan annually and make the plan available on the TxDOT Internet website.

SECTION 37. Amends Section 2205.034, Government Code, as follows:

Sec. 2205.034. FACILITIES. (a) and (b) Makes conforming changes.

SECTION 38. Amends Section 2205.035, Government Code, as follows:

Sec. 2205.035. AIRCRAFT LEASES. (a)-(f) Makes conforming changes.

SECTION 39. Amends Section 2205.036, Government Code, as follows:

Sec. 2205.036. PASSENGER TRANSPORTATION. (a) and (b) Makes conforming changes.

(c) Prohibits TxDOT, rather than SAPB, from providing aircraft transportation to a destination unless:

(1) Makes no changes to this subdivision;

(2) the aircraft transportation is the most cost-effective travel arrangement in accordance with Section 66).007(a) (relating to the requirement for state agencies to minimize travel expenses), rather than the time required to use a commercial carrier interferes with passenger obligations;

(3) makes nonsubstantive changes to this subdivision; or

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

(d) Requires a person to sign an affidavit stating that the person is traveling on official state business before the executive director of TxDOT, or the director's designee, is authorized to authorize the person to use a state-operated aircraft. Provides that on filing of the affidavit, the person may be authorized to use state aircraft for state business for one year. Provides that a member of the legislature is not required to receive any other additional authorization to use state aircraft.

(e) Requires the administrative head of a state agency to certify that an employee of a state agency's transportation complies with the requirements of this section before the director, or the director's designee, is authorized to authorize the employee to use a state-operated aircraft.

SECTION 40. Amends Section 2205.038, Government Code, as follows:

Sec. 2205.038. AIRCRAFT OPERATIONS MANUAL. (a)-(c) Makes conforming changes.

(d) Requires that TxDOT, rather than SAPB give an officer normally elected by statewide election priority in the scheduling of aircraft and authorizes TxDOT, rather than SAPB, by rule to require a 12-hour notice by the officer to obtain the priority in scheduling.

SECTION 41. Amends Section 2205.039, Government Code, as follows:

Sec. 2205.039. TRAVEL LOG. (a)-(c) Makes conforming changes.

SECTION 42. Amends Section 2205.040, Government Code, as follows:

Sec. 2205.040. New heading: RATES AND BILLING PROCEDURES; ACCOUNT FOR CAPITAL REPLACEMENT COSTS. (a) Requires TxDOT, rather than SAPB, and subject to Subsection (b), to adopt certain rates.

(b) Authorizes TxDOT, if TxDOT's most recent long-term plan contains an analysis under Section 2205.032(c)(7) that finds that including capital recovery costs in the rates TxDOT charges under this section is a practicable fleet replacement strategy, to adopt rates for interagency aircraft services provided by TxDOT that are sufficient to recover, in the aggregate and to the extent possible, all direct costs for services provided, as provided by Subsection (a) and the capital costs of replacing aircraft in the pool.

(c) Creates this subsection from existing text. Makes a conforming change.

(d) Requires the portion of the rates collected for the capital costs of preplacing aircraft in the pool, if TxDOT adopts rates under Subsection (b), to be deposited in a separate account in the state highway fund. Authorizes money in the account to be used only for the acquisition of aircraft for the pool operated by TxDOT under Section 2205.032.

SECTION 43. Amends Section 2205.041, Government Code, as follows:

Sec. 2205.041. AIRCRAFT USE FORM. (a) and (b) Makes conforming changes.

SECTION 44. Amends Section 2205.042, Government Code, to make conforming changes.

SECTION 45. Amends Section 2205.043(b), Government Code, to require TxDOT, rather than SAPB, to adopt certain rules governing the color, size, and location of marks of identification required by this section.

SECTION 46. Amends Section 2205.044, Government Code, to make a conforming change.

SECTION 47. Amends Section 2205.045(a), Government Code, to make conforming changes.

SECTION 48. Amends Section 2205.046, Government Code, as follows:

Sec. 2205.046. AIRCRAFT FOR FLIGHT TRAINING PROGRAMS. (a)-(c) Makes conforming changes.

SECTION 49. Amends Section 2205.047, Government Code, as follows:

Sec. 2205.047. INFORMATION POSTED ON THE INTERNET. Makes conforming changes.

SECTION 50. Provides that the following provisions are repealed:

(1) Sections 2205.003 (Establishment), 22.004 (Compensation of Board; Terms), 2205.005 (Appointments), 2205.006 (Eligibility), 2205.007 (Conflicts of Interest), 2205.008 (Information About Qualifications and Standards of Conduct), 2205.009 (Removal), 2205.010 (Presiding Officer; Meetings; Quorum), 2205.011 (Public Access and Testimony), 2205.013 (Merit Pay), 2205.014 (Career Ladder), 2205.015 (Equal Employment Opportunity), and 2205.017 (Information on Complaints), Government Code.

(2) Sections 201.404(b-2) (relating to unsatisfactory annual performance evaluations for employees), 550.061, and 601.004, Transportation Code.

SECTION 51. (a) Provides that except as provided by Subsection (b) of this section, Section 201.059, Transportation Code, as amended by this Act, applies to a TTC member appointed before, on, or after the effective date of this Act.

(b) Provides that a TTC member who, before the effective date of this Act, completed the training program required by Section 201.059, Transportation Code, as that law existed before the effective date of this Act, is only required to complete additional training on

the subjects added by this Act to the training program as required by that section, as amended by this Act. Prohibits a TTC member described by this subsection from voting, deliberating, or being counted as a member in attendance at a meeting of TTC held on or after December 1, 2017, until the member completes the additional training.

SECTION 52. (a) Requires TxDOT, not later than March 1, 2018, to:

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

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

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

(4) develop and publish on the TxDOT Internet website the dashboard required by Section 201.8075, Transportation Code, as added by this Act.

(b) Requires TxDOT to adopt the first long-range plan containing the information required by Section 2205.032(c), Government Code, as amended by this Act, not later than September 1, 2018.

(c) Requires TTC, not later than September 1, 2018, to:

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

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

SECTION 53. Effective date: September 1, 2017.