

- SUBJECT:** Restricting promotion of toll projects by TxDOT
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 8 ayes — Pickett, Phillips, Callegari, Dunnam, Guillen, Harper-Brown, Merritt, W. Smith
- 0 nays
- 3 absent — Y. Davis, McClendon, T. Smith
- SENATE VOTE:** On final passage, April 2 — 31-0, on Local and Uncontested Calendar
- WITNESSES:** (*On House companion bill HB 2142:*)
For — Don Dixon; Terri Hall, Texas TURF; (*Registered, but did not testify:* Norman Garza, Texas Farm Bureau; Justin Keener, Texas Public Policy Foundation)
- Against — None
- On — (*Registered, but did not testify:* Amadeo Saenz, Texas Department of Transportation)
- BACKGROUND:** Transportation Code, sec. 228.004 allows the Texas Department of Transportation (TxDOT) to engage in marketing, advertising, and other activities to promote the development and use of toll projects, and allows the department to enter into contracts or agreements necessary to procure marketing, advertising, or other promotional services from outside service providers. Through its Keep Texas Moving campaign and outreach to advance the Trans-Texas Corridor project, TxDOT has dedicated state resources to market the development of toll roads in the state.
- DIGEST:** SB 384 would delete provisions allowing TxDOT to promote the development and use of toll projects and would state that marketing, advertising, and other activities aimed at influencing public opinion about toll roads would not be authorized. The bill would allow TxDOT to engage in activities to provide information relating to the status of pending or ongoing toll projects.

The bill would take effect September 1, 2009.

NOTES:

The companion bill, HB 2142 by McClendon, passed the House by 132-1 on May 15 and was scheduled for a public hearing by the Senate Transportation and Homeland Security Committee on May 22.

The House-passed version of HB 300 by Isett, the TxDOT sunset bill, includes a provision identical to HB 2142 and SB 384.