Texas Department of Transportation

Committed to our goals.

Self-Evaluation Report to the Sunset Advisory Commission
August 2007

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I. Agency Contact Information

A. Please fill in the following chart.

(Texas Department of Transportation) Exhibit 1: Agency Contacts				
	Name	**Address**	**Telephone & Fax Numbers**	**E-mail Address**
Agency Head	Michael Behrens	125 East 11th Street	(512) 305-9501 (512) 305-9567 (fax)	mbehren@dot.state.tx.us
Agency's Sunset Liaisons	Steve Simmons	125 East 11th Street	(512) 305-9502 (512) 463-0283 (fax)	ssimmon@dot.state.tx.us
	Jefferson Grimes	125 East 11th Street	(512) 475-3097 (512) 463-9389 (fax)	jgrimes@dot.state.tx.us

II. Key Functions and Performance

Provide the following information about the overall operations of your agency.

A. Provide an overview of your agency's mission, objectives, and key functions.

The Texas Department of Transportation (TxDOT), in cooperation with local and regional officials, is responsible for planning, designing, building, operating and maintaining the state's transportation system. Our vision is to deliver a 21st century, multi-modal transportation system that will enhance the quality of life for Texas citizens and increase the competitive position for Texas industry by implementing innovative and effective transportation programs. Our mission is to provide safe, efficient, and effective means for the movement of people and goods throughout the state, facilitating trade and economic opportunity. To fulfill our mission, our goals are to:

- reduce congestion
- enhance safety
- expand economic opportunity
- improve air quality
- increase the value of transportation assets

TxDOT works to achieve these goals through four strategies:

- using all financial options to build transportation projects
- empowering local leaders to solve local transportation problems
- increasing competition to drive down costs
- demanding consumer-driven decisions

TxDOT's five goals are supported by our key functions, which include planning, designing, building, operating and maintaining the state's transportation system. These key functions are performed by various divisions within TxDOT headquarters and in TxDOT district offices.

Within our headquarters organization, our Transportation Planning and Programming Division helps develop short- and long-term transportation plans for the state highway system. The division also coordinates research, administers planning funds and collects data on the state highway system. The planning process is required by federal law to receive federal funding, which enables us to improve our transportation system. The environmental and right of way divisions are included as part of the overall planning process and are discussed below.

Our Environmental Affairs Division is responsible for central coordination and oversight of our environmental program. The division routinely addresses issues related to air and water quality, animal and plant ecology, archeology/historic properties, environmental justice, hazardous materials and traffic noise. They also perform environmental document review and coordination, develop and deliver environmental training, act as a liaison to state and federal resource agencies and provide needed support to TxDOT districts.

Our Right of Way Division coordinates the acquisition of land for highway construction, providing relocation assistance and payments and coordinating utility adjustments. The division also manages the disposition and leasing of surplus property and regulates outdoor advertising signs and junkyards. TxDOT maintains 1.1 million acres of right of way and acquires approximately 1800 parcels per year.

Our Design Division's objective is to guide the development of construction projects, from preliminary engineering to the completion of plans, specifications and estimates for construction bidding. The division also manages federal funds and letting schedules, as well as oversees professional services contracts.

The objective of our Construction Division is to provide general oversight of the letting, management and administration of highway construction contracts. Obviously, the construction of new roads, interchanges and/or updating is a key function of our agency and should continue in the future.

Our Texas Turnpike Authority Division strives to improve mobility and safety through the development and operation of a safe, reliable and cost-effective system of toll roads using private-sector partners and financing options to accelerate project delivery.

Our Maintenance Division provides general oversight for highway maintenance, vegetation programs, ferry operations, highway rest areas, architectural design and emergency operations. TxDOT maintains 79,969 centerline miles (miles traveled in a one-way direction regardless of the number of lanes in a roadway). The Maintenance Division is one of the most important divisions in the agency as all roads need to be maintained once they are built.

Aside from our key functions, TxDOT conducts numerous services and programs that all tie into the success of our department and an efficient transportation system in Texas.

Our Aviation Division assists cities and counties applying for, receiving and disbursing federal and state funds for reliever and general aviation airports. The division also participates in the Federal Aviation Administration's State Block Grant Program, with responsibilities for the federal improvement program for general aviation airports.

Our Bridge Division provides assistance at the local and regional levels with in-house expertise in all aspects of structural planning, design, review, construction and inspection of bridges. Texas

has approximately 50,000 bridges, about 40 percent more than any other state. TxDOT conducts routine inspections of each bridge at least once every two years, classifying it by condition according to federal and state requirements. The division also develops policies for the design, construction and maintenance of a safe and comprehensive state bridge system.

Our Motor Carrier Division issues operating credentials (registration) for motor carriers doing business in Texas, including household goods movers and tow truck and commercial bus operators. In addition, our Motor Carrier Division licenses vehicle-storage-facility operators and investigates consumer complaints against household goods movers, vehicle storage facilities and towing companies.

Our Motor Vehicle Division regulates the vehicle industry in Texas, which includes licensing and investigating complaints against dealers, lessors, lease facilitators, manufacturers, distributors and converters. The division also administers the Texas Lemon Law, which helps consumers who buy or lease defective motor vehicles.

Our Public Transportation Division provides financial and technical assistance to urban, rural and elderly or disabled transit providers. In FY06, TxDOT provided 271.1 million rides on public transportation vehicles. The division also represents transit in the planning and programming process and prepares funding-needs projections.

Our Traffic Operations Division oversees programs in traffic management, engineering, safety and railroads. The division is involved in planning and maintaining things people see every day—signs, signals, pavement markings, lighting and highway-rail crossings. In FY05, TxDOT managed 6,315 traffic signals through Texas. Traffic Operations also manages intelligent transportation systems and safety initiatives to improve driver behavior, eliminate roadway hazards and increase traffic law enforcement.

The Travel Division offers road condition information, traffic cameras, maps and other resources to help motorists plan trips within Texas. In FY06 alone, 3.5 million people visited the division's roadside Information Centers.

Our Vehicle Titles and Registration Division oversees motor vehicle registration, apportioned registration of motor carriers, auto theft prevention, the sale of specialty license plates and more.

Additional divisions include the Finance Division, General Services Division, the Government and Public Affairs Division, Human Resources Division, Information Resources Division and the Occupational Safety Division. The following offices also offer support for TxDOT: Business Opportunity Programs, Civil Rights, General Counsel, International Relations, and Research and Technology Implementation.

B. Do each of your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

TxDOT's main functions are planning, designing, building, operating and maintaining the state's transportation system. Each of these functions continues to serve a clear and ongoing objective to provide citizens with the best transportation system possible. It has been expected by members of the Legislature that it is also important that TxDOT communicate with the public, an activity which should be considered a key function of the department as it ties into all five of our goals.

We strive to educate and listen to the public during the planning process at information sessions and through other means during the building phase of a project. TxDOT is making a diligent effort to improve communications with the public and media, especially when discussing new, innovative financing techniques and the future of the Trans-Texas Corridor. Besides our headquarters divisions, TxDOT's twenty-five district offices are vital to the department and are our first line of communication to the public.

The harm from not performing the key functions of the department is great. Our state population is increasing, leading to more congestion. If the current transportation system is not maintained, Texas roads will fall into disrepair. If new roads and transit systems are not built, congestion will increase. Currently, the average annual vehicle miles traveled (VMT) on state-maintained highways is 174.4 billion miles (234.2 billion on all state roadways). Congestion will also continue to build if vehicles drive slowly to avoid damage caused by poorly maintained roads. The maintenance function of our department is essential to meeting our goals to enhance safety and reduce congestion. In fact, staff reported to the Transportation Commission this past June that more than $6 billion would need to be transferred from the department's construction budget to maintenance over the next five years to preserve the current quality of the state' road network. Many functions, including our planning and environmental processes, are needed to obtain federal funding for transportation projects. The various divisions within TxDOT are essential to the continued development of a superior transportation system for the citizens of Texas.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

Strong evidence to support our five main goals/objectives is described below.

1. Reducing Congestion

Simply put, our transportation system has not kept up with the rapid population growth Texas has seen in the last decade. The challenge is large. We are tackling it first by addressing the congestion that plagues Interstate 35, Texas' transportation spine. Forty-five percent of all Texans live within 50 miles of I-35, and by 2030, more than 15 million people will live within that corridor. Common sense tells us that this growth coupled with the same number of lanes will cause gridlock, hamper safety, stifle economic opportunity, depreciate the value of our current infrastructure and pollute the air.

The good news is that we have a plan that envisions a parallel alternative toll road to I-35 funded by the private sector. The plan stems from the original vision for the Trans-Texas Corridor. That plan passed a major milestone in October when TxDOT released the Master Development Plan for the first phase of the Trans-Texas Corridor 35, or TTC–35. The plan outlines how to approach, operate, finance and maintain TTC-35's first phase, which could break ground within four years, pending environmental clearance.

The plan takes advantage of private-sector innovation and investment to relieve congestion, enhance safety, expand economic opportunity, contribute to cleaner air and preserve the value of I-35. Several things the Master Development Plan does not do: set the route for TTC-35, authorize construction, set toll rates or eliminate competition.

However, it does foresee $8.8 billion in private-sector investment. That's money the state won't have to spend to add an important new $8.8 billion transportation asset in Texas. Additional

concession fees investors pay to Texas in exchange for the right to collect tolls could reach $1.9 billion, adding even more resources to meet transportation needs.

Additionally, the Trans-Texas Corridor won't be the department's first toll road. More than 40 miles of the Central Texas Turnpike Project, the first toll road built by TxDOT, opened in 2006—a year ahead of schedule and under budget. In late October, nearly 27 miles of the Central Texas Turnpike System opened. And in December, another 13 miles of SH 130 opened to traffic from just north of Georgetown to U.S. Highway 79. The $3.6 billion project represents one of the largest toll-financed projects in the U.S.

With the help of TxDOT, some 12 Texas communities are now financing their transportation projects using pass-through financing. This innovative approach to funding gets local communities involved in finding the money to pay for transportation improvements upfront, with the promise that TxDOT will reimburse them based on how many vehicles travel on that road once it's in operation. The Transportation Commission, in 2006, approved six pass-through financing payments totaling $387,995,006.

Success in this area is, at the end of the day, a function of available cash flow and financial flexibility, both of which are ultimately determined by the Legislature.

2. Enhance Safety

Safety is woven into everything TxDOT does—every project, every design, every plan. Every day. From work zones to railroad crossings to its buckle-up campaign, "Click It or Ticket," TxDOT thinks safety.

With its highway construction and maintenance program, TxDOT continually upgrades the state's road and bridge system. Wider traffic lanes, paved safety shoulders, upgraded pavement markings, more skid-resistant pavement, state-of-the-art traffic control devices, median barriers to separate traffic, easier-to-read signs and breakaway sign posts are just a few of the safety improvements being made on Texas highways every day.

The department continued work in 2006 on TxDOT's single most aggressive program to improve the safety of the traveling public in Texas. Some 644 safety projects, valued at $600 million, and identified as priorities across the state, are well underway. They will widen 1,600 miles of narrow, two-lane roads, install 740 miles of median barriers on divided highways, add left turn lanes at 171 highway intersections, and build 10 new overpasses. When completed, the projects will save an estimated 1,800 lives and prevent 21,000 injuries during the next 20 years.

In 2006, about 80 percent of these projects were completed or underway. For example:

- Approximately 680 miles of concrete or wire median barrier were installed or under construction
- Approximately 134 dedicated-left-turn lane projects were completed or under construction
- Approximately 1,400 miles of narrow two-lane highways have either been widened or are currently under construction

In an effort to stop the number-one killer of teenagers in America, TxDOT, in partnership with the Texas Transportation Institute (TTI), has been working to implement the Teens in the Driver Seat© Program across the state. This peer-to-peer program works to educate teens on the five riskiest behaviors behind the wheel: driving at night, distractions such as cell phones and too many teens in the car, speeding, failing to wear a safety belt, and driving under the influence.

Originating in San Antonio, this initiative has spread to 14 TxDOT districts, with plans for expansion into four more districts, and ultimately statewide. In October, this program won the American Association of State Highways and Transportation Officials (AASHTO) President's Transportation Award for Highway Traffic Safety. (www.t-driver.org)

More Texans—90.4 percent—are buckling up than ever before. Part of the credit for that success in 2006 goes to TxDOT's public awareness campaign, "Click It or Ticket." Since the campaign began in 2002, safety belt use has jumped by more than 14 percent. That translates into 1,200 fewer deaths and more than 28,000 fewer injuries each year.

Another area TxDOT has applied its resources to save lives is in preventing trains and passenger vehicles from colliding. And the department effort is working. Collisions between trains and vehicles plunged by more than 73 percent in the last 14 years to 323 in 2005, which is down from a high of 1,202 accidents. Deaths during that same period declined by 71 percent. TxDOT seeks to lower those numbers even further, and we continue to upgrade safety at rail crossings by installing flashing light signals with bells and gate arms at particularly dangerous intersections.

3. Expanding Economic Opportunity

By creating new trade and transportation corridors, and by adding capacity to highways to reduce congestion, TxDOT is helping bolster and grow the Texas economy. One of those trade corridors is the Trans-Texas Corridor 35 (TTC-35), which, according to a study conducted by Ray Perryman and titled "Moving Into Prosperity: The Potential Impact of the Trans-Texas Corridor on Business Activity in Texas," will inject billions of dollars into the Texas economy.

The report projects that in its first 25 years of operation, TTC-35 will:

- Create $1.65 trillion in new spending
- Generate $6.9 billion a year in additional state revenue
- Increase the gross state product, or the total value of all goods and services produced in Texas, by $665.9 billion
- Boost personal income in Texas by $376.4 billion
- Add 3.7 million permanent jobs

In 2006, some 800 participants attended two TxDOT workshops held in New York City and Austin on Comprehensive Development Agreements (CDAs). The workshops attracted private consultants, investors and contractors, elected officials from local and regional U.S. and foreign governments, and transportation and financial experts. They were introduced to TxDOT's "Open For Business" model which aims to accelerate transportation projects through the use of private investment and private-public partnerships. The investor participants responded with ten proposals—double the number submitted before the workshops—for the Dallas-area SH 161 project. TxDOT has executed four CDAs, has signed an agreement in principal for the first concession contract (SH 130 segments 5 and 6), and has at least seven other CDA projects in various stages of procurement.

In 2006, to reach out to small businesses the department's Business Opportunity Programs Office conducted briefings around the state to provide small and minority-owned businesses improved access to the state's business opportunities. Approximately 800 participants attended the briefings held in Houston, Dallas, El Paso and Austin. Small business owners forged new business relationships as they consulted with TxDOT staff and prime contractors seeking new contracting and subcontracting opportunities.

4. Improve Air Quality

Highway congestion contributes to poor air quality in urban areas. While the state is required to meet federal air quality standards, we are non-compliant or approaching non-compliance in some metropolitan areas. The Congestion Mitigation & Air Quality Improvement Program (CMAQ) is a federal program which provides funds to State Departments of Transportation to invest in projects that improve air quality and reduce congestion. In addition to utilizing CMAQ funds, TxDOT reviews all projects in the planning stage to determine what environmental issues exist for each project and how to address those issues. With an increasing population in Texas and increased truck traffic from Mexico, planning for our future involves a multi-modal approach that includes consideration of air quality impacts.

TxDOT also believes in starting its clean air efforts right at home, so from May 1 to September 30, 2006 some 2,762 TxDOT employees—an increase of 33 percent over the previous year—contributed to cleaner air by signing up for the department's Clean Air Plan. Part of the statewide Drive Clean Across Texas campaign, the program aims to get motorists to change their driving habits to reduce pollution.

TxDOT's in-house effort, which involves carpooling and other means of reducing use of vehicles for work-related travel, helped reduce emissions statewide, cutting approximately 18 million tons of nitrogen oxides and 24.5 tons of volatile organic compounds from the air Texans breathe. During this time, TxDOT employees reduced their commute more than two million miles.

TxDOT also makes sure that it leads the way when it comes to alternative fuels. The department's use of cleaner burning fuel, as well as incorporating fuel-efficient vehicles into its fleet, contributes not only to dollar savings but also to improved air quality for all Texans.

In 2006, the department:

- Increased the number of flex fuel vehicles (those capable of using either gasoline or alternative fuels) by 105 percent
- Increased the number of hybrid vehicles (those that alternate between gasoline and electric charge) by 153 percent
- Began using biodiesel fuel, totaling 2,000 gallons
- Ensured that 40 percent, or 4,029 of the vehicles in its on-road fleet are alternative-fuel capable

Finally, Don't Mess with Texas, the anti-litter campaign whose slogan first aired on a Cotton Bowl commercial in 1986, celebrated its 20th anniversary with a huge win. The advertising slogan garnered the most votes in *Advertising Week*'s national contest to determine American's favorite ad saying. "Don't Mess With Texas" beat out 25 other slogans from top international companies, like Nike's "Just do it" and the Ad Council's "Friends don't let friends drive drunk."

5. Increasing the Value of Transportation Assets

TxDOT works every day to protect the billions of dollars taxpayers have invested over the years to build today's transportation system. Each year we replace thousands of miles of worn-out pavement, rehabilitate or replace deteriorated bridges, and rebuild roads that have outlived their design life. The department routinely inspects roadway surfaces as well as tests below the surface for hidden problems. Maintaining what we have helps keep motorists safe, reduces congestion and makes wise use of transportation dollars.

Ever since 2003, however, the cost to maintain our existing system has surpassed total state gas tax receipts that go to transportation. In other words, state gas taxes now contribute zero dollars to new highway construction in Texas.

In response, TxDOT is aggressively seeking new ways not only to build roads, but to have those roads generate revenue. Tolled projects, in particular, pay for their own maintenance while generating funds for other mobility projects in the area. They also are integral to the department's goal to increase the value of our transportation assets. That happens when, for instance, traffic moves off I-35 and onto the newly opened SH 130 toll road.

Bolstering its commitment to maintaining what already exists, the Transportation Commission in 2006 approved an $11.3 billion statewide preservation program for the next four years—$8.5 billion of which will be used to maintain the 79,000-plus miles of existing highways, and $1.6 billion of which will go toward taking care of the state's bridges. The program also allocates money to improve intersections, fund safety projects and maintain rail.

The recent tragedy of the Minneapolis bridge collapse has provided the department another opportunity to inform the public about TxDOT's efforts to improve the status of bridges around the state as well as increased awareness of the need to fund bridge rehabilitation. More than 600 bridges have been rehabilitated or replaced by TxDOT since 2001 as a result of the department's Equivalent Match Project/Participation Waived Project Program. Under the program, communities agreeing to repair or rehabilitate deficient bridges or improve low-water crossings can forgo their usual 10 percent share on federal projects if they will spend that same amount of money on some other local bridge project. Under this program, the number of local governments participating in TxDOT's off-system bridge program has jumped. In addition, the program has accelerated the pace at which deficient bridges have been brought up to standard throughout the state.

The Transportation Commission has set a goal for the department to have 80 percent of the state's bridges in good or better condition by 2011. TxDOT is well on its way, with 86 percent of the bridges under the department's authority in good condition, and 61 percent of those within cities and counties ranked in the good or better category. Some 38,548 bridges or 77.3 percent of the total number of publicly owned vehicular bridges in the state are in good condition, a 14 percent increase from 2001. Of the state's 49,846 bridges, 32,676 are owned by the state and 17,170 are controlled by local entities.

As Texas businesses continue to rely on a variety of means—truck, rail and air—to get their goods to market, to get their employees to meetings and to get their orders in on time—the condition of the state's 300 general aviation airports becomes increasingly important. To assure that those airports are in the best shape, the department in 2006 issued nearly 200 grants worth more than $53 million for airport maintenance and improvements. The projects include such improvements as replacing runways, upgrading control towers, and adding new lighting and navigation systems.

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

The biggest challenge currently facing transportation includes the lack of tools available to fund projects. When ever-increasing construction costs are paired with decreased purchasing power from motor fuels taxes, the ability to meet the needs of such a fast-growing state becomes near impossible.

HB 3588 from the 78th Legislative Session and HB 2702 from the 79th Legislative Session certainly assisted the department in meeting our stated goals. By providing additional funding options through bonding and privatization, desperately needed infrastructure became a reality in many areas of the state.

However, SB 792 from the 80th Legislative Session stripped the ability for the state to use privatization as an opportunity to plan, build, maintain, use and manage projects in Texas. Prior to this legislation, projects which would have waited years for traditional gas taxes were scheduled to move forward because of private investment opportunities provided by previous legislatures. However, now without a meaningful new funding source for transportation and flexibility to use tools that provide infrastructure now when we need it most, many projects will once again be waiting on the planning books for funding.

A lack of investment in our transportation infrastructure will mean that many areas of our state will languish in congestion, poorly maintained or unsafe roadways, poor air quality conditions, and miss out on opportunities for economic development due to inadequate access to infrastructure. In addition, the increased demands on the department necessitate maximum flexibility to rapidly respond to meet the needs of the state. By providing the flexibility of instituting a system by which the department's FTEs are tied to a percentage of total funds, TxDOT could more easily respond to identified resource needs (i.e. movement of personnel around the state, equipment needs, etc.) when workloads vary across the state.

E. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

While some functions may be similar to those found in other agencies, our department has a unique opportunity to provide critically needed infrastructure and related needs to the state. Our staff coordinates regularly with other state and federal agencies as well as internally to insure that the needs of the state are being met with few opportunities for duplication. Any duplication is explained with in the Agency Programs section.

F. In general, how do other states carry out similar functions?

Almost every state department of transportation in the country is run in a similar fashion to TxDOT. Some states have a centralized system where all decisions come from the headquarters office to the districts, but other states are decentralized like TxDOT. As far as the primary focus of other departments of transportation, some states have separate highway departments from other modes of transportation. TxDOT combines all modes into one department. All states are having a difficult time financially if they rely only on revenue from the state and federal gas taxes. As of August 2006, 21 states and one U.S. territory have passed legislation providing the legal authority for private sector participation in transportation projects to varying degrees. Public-private partnerships are seen as one of the best options for financing transportation projects now and in the future. TxDOT is seen as a national leader in the use of innovative financing for new projects.

G. What key obstacles impair your agency's ability to achieve its objectives?

The key obstacles impairing our ability to achieve our stated goals and objectives revolve around the lack of funding options to provide adequate and reliable transportation infrastructure to citizens of the State of Texas. Currently the state gas tax does not meet the preservation and maintenance needs of the state. If we are to maintain our existing assets, reduce congestion, improve air quality, enhance safety, and expand economic opportunity in Texas, we need to invest more in transportation infrastructure.

H. Discuss any changes that could impact your agency's key functions in the future (e.g., changes in federal law or outstanding court cases).

The upcoming federal surface transportation re-authorization process will, without a doubt, impact the key functions of TxDOT. If Congress were to maintain existing funding levels and not increase them as needed, an estimated budget shortfall of $4 billion is expected starting in 2009. This budgetary shortfall will either continue to grow or federal investment in transportation infrastructure will drop dramatically unless a meaningful source of new transportation funding is implemented. Beginning early next year, Congress will begin working to address this funding problem and reauthorizing all major transportation programs through the federal reauthorization process. A major portion of our operating budget is derived from federal sources. As such, changes in policy as well as funding levels during this time will have a significant effect on the daily business of TxDOT.

With roughly one quarter of every Texas dollar sent to the Highway Trust Fund going to fund transit and highway needs in other states, as well as Texas sending back well over $600 million in federal rescissions within the past two years, it is increasingly difficult to rely upon federal financing for the state's highway system. For this reason, the state needs to look to all funding options available to address Texas' transportation needs now and in the future.

I. What are your agency's biggest opportunities for improvement in the future?

Being given the opportunity to explore new and alternative methods of financing, designing, and building transportation infrastructure will be our greatest opportunity to provide services in the future. This will be the only way keep up with the growing demand for reliable transportation in Texas because traditional resources have been stretched as far as they can go.

J. In the following chart, provide information regarding your agency's key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures.

Key Performance Measures	FY 2006 Target	FY 2006 Actual Performance	FY 2006 % of Annual Target
Project to Funding Ratio	1.10	1.05	95.45%
Percent of Projects Awarded on Schedule	100.00%	100.00%	100.00%
Percent of Construction Projects Completed on Budget	98.75%	99.39%	100.65%
Percent of Two-lane Highways with Improved Shoulders	51.50%	52.05%	101.07%
Percent of Railroad Crossings with Signalization	46.20%	52.10%	112.77%
Percent of Construction Projects Completed on Time	81.47%	73.57%	90.30%
Urban Congestion Index	1.40	1.41	100.71%
Statewide Congestion Index	1.09	1.09	100.00%
Percent of Bridges Rated in Good Condition or Higher	77.65%	77.25%	99.48%
Statewide Maintenance Assessment Program Condition Score	80.00	78.46	98.08%
Statewide Traffic Assessment Program Condition Score	76.00	77.01	101.33%
Percent Change in the Number of Public Transportation Trips	1.20%	1.50%	125.00%
Percent of Motor Vehicle Consumer Complaints Resolved	75.00%	75.36%	100.48%
Number of Fatalities Per 100,000,000 Miles Traveled	1.70	1.60	94.12%
Number of Construction Project Preliminary Engineering Plans Completed	950	1,075	113.16%
Dollar Volume of Construction Contracts Awarded in FY (Millions)	$3,794.00	$5,178.02	136.48%
Number of Projects Awarded	933	1,019	109.22%
Number of Airports Selected for Financial Assistance	110	115	104.55%
Administrative and Support Costs as a Percentof Facility Grant Funds Expended (AVN)	3.90%	4.33%	111.03%
Number of Lane Miles Contracted for Resurfacing	19,044.00	15,811.00	83.02%
Number of Oversize/Overweight Permits Issued	481,409	522,638	108.56%
Number of Highway Lane Miles Resurfaced by State Forces	8,685.00	6,406	73.76%
Administrative and Support Costs as a Percentof Grants Expended (PTN)	3.59%	3.17%	88.19%
Recipient One-way Trips	3,789,260	3,481,889	91.89%
Average Cost Per One-way Trip (PTN)	$18.96	$18.68	98.52%
Number of Vehicle Titles Issued	6,179,260	5,954,604	96.36%
Number of Vehicles Registered	19,522,971	20,609,866	105.57%
Number of Motor Vehicle Consumer Complaints Resolved	860	685	79.65%
Average Number of Weeks to Resolve a Motor Vehicle Complaint Resolution (MVD)	18.00	19.39	107.72%
Number of Cars Stolen Per 100,000	511.50	481.80	94.19%
Administrative and Support Costs as Percentage of Total Expenditures	6.32%	7.50%	118.67%
Number of Federal Railroad Administration (FRA) Units Inspected	140,000	89,094	63.64%

III. History and Major Events

Provide a timeline of your agency's history, and key events, including:

- **the date your agency was established;**
- **the original purpose and responsibilities of your agency;**
- **major changes in responsibilities or statutory authority;**
- **changes to your policymaking body's name or composition;**
- **significant changes in state/federal legislation, mandates, or funding;**
- **significant state/federal litigation that specifically affects your agency's operations; and**
- **key changes in your agency's organization (e.g., a major reorganization of the agency's divisions or program areas).**

Texas Department of Transportation – History

1917

- By the end of the year, the department registers 194,720 motor vehicles.
- Commission designates a highway system of 8,865 miles of "improved roadways." When completed, the department estimates, the system will make highways readily accessible to 89 percent of the state's population.
- Highway Commission increases the speed limit to 25 mph.
- Commission sets vehicle registration fee at 35 cents per horsepower, with a minimum of $7.50.
- **April 4** – House Bill 2, creating the Texas Highway Department, is signed into law by Gov. James Ferguson. The measure vested a three-member commission with administrative control of the department. Members would be appointed to two-year terms by the governor, with consent of the Senate.
- **June 4** – The Texas Highway Commission meets for the first time. Commissioner J.C. Odle moves that George A. Duren be named the state's first highway engineer. The department has 10 employees.

1918

- **July** – The department's first paving project begins along a 25-mile stretch of roadway in Hays County, roughly following the route of future Interstate 35.
- **October** – Work begins on the department's first new highway construction project, a 20-mile section of untreated flexible base between Falfurrias and Encino in Brooks County. The roadway opens to traffic in June 1920.

1921

- Congress amends the Federal Aid to Roads Act of 1916 requiring states to take over exclusive control of road design, construction and maintenance after 1925.

1923

- 38th Legislature passes Texas' first gasoline tax – one cent a gallon. The State Highway Fund would receive 75 percent of the revenue with the rest going to the Available School Fund.
- Legislature sets terms of Highway Commission members at six years, with one seat becoming vacant every two years.
- Highway Commission sets the maximum speed limit at 35 mph.

1924

- **January 1** – Highway Department assumes responsibility for maintenance of all state highways. Prior to this time, roadway maintenance rests with the counties.

1925

- 39th Legislature vests the Highway Department with responsibility to survey, plan and build highways, as well as maintain them. Lawmakers also authorize the department to acquire highway right of way by purchase or condemnation.

1925-1926

- Texas loses all federal highway aid from the U.S. Bureau of Public Roads because of poor maintenance.

1927

- Federal highway funding for Texas is restored, with the department receiving $10.2 million in construction reimbursement for fiscal 1928-1930.
- Legislature increases gasoline tax to three cents a gallon from March 1927 to September 1928, at which time it would be reduced to two cents a gallon.
- Legislature authorizes creation of Right of Way division and State Highway Patrol to enforce license and weight provisions.

1928

- Highway Commission sets the maximum speed limit at 45 mph.

1929

- Legislature increases gasoline tax to four cents a gallon, but reduces vehicle registration fees.
- **September 1** – Duties of the Highway Patrol expand to include traffic law enforcement.

1930

- Texas has 1,445,250 registered vehicles. Department abandons horsepower as the basis for registration fees and converts to a system based on vehicle weight.

1932

- Legislature enacts State Assumption Highway Bond Law, making the financing of highways a state responsibility. The law limits county participation to providing right of way. One cent of gasoline tax is dedicated to refunding the bonded indebtedness of counties and road districts.

1933

- National Recovery Act allows use of federal-aid funds for urban and secondary roads.

1935

- Legislature creates the Department of Public Safety, removing the Highway Patrol from the Highway Department.

1937

- **January** – First farm-to-market road is completed between Mount Enterprise and Shiloh in Rusk County, a distance of 5.8 miles. Total cost: $48,000.

1941

- Highway Commission raises the speed limit to 60 mph.
- State begins taxing diesel at one cent per gallon.

1942

- Because of wartime fuel and rubber shortages, the speed limit in Texas is dropped to 35 mph.

1944

- Congress passes the Federal Aid Highway Act describing a 40,000-mile network called a "National System of Interstate Highways." But no money to build the system is appropriated.

1945

- With World War II over, the speed limit is reinstated at 60 mph.

1946

- **November 5** – Voters approve an amendment to the Texas Constitution, a measure known as the "Good Roads Amendment." The amendment makes the longstanding 75-25 percent State Highway Fund-Available School Fund distribution a matter of organic law.

1949

- Legislature passes the Colson-Briscoe Act. The measure provides an annual $15 million appropriation from the State General Fund to build farm-to-market and ranch-to-market roads.

1951

- Diesel fuel tax increased to two cents a gallon.

1955

- Legislature increases gasoline tax to five cents, the first hike since 1929.

1956

- Federal Highway Revenue Act increases gasoline and other motor-vehicle taxes and creates the Highway Trust Fund.
- Congress appropriates $25 billion for building the interstate highway system from 1957 to 1968. The amount of money appropriated would grow.

1961

- Legislature passes state's first sales tax. Lubricants are included among taxable items.

1962

- Colson-Briscoe Act is amended by the legislature to allow $8 million of the state's annual General Revenue funding for farm-to-market and ranch roads to be matched with federal funds.

1963

- **August 23** – Maximum speed limit for two-thirds of the state highway system increases to 70 mph during the day, 65 mph at night.

1967

- Department celebrates its golden anniversary. It now has 17,000 employees and 66,000 miles of highway.

1969

- Legislature establishes Texas Mass Transportation Commission.

1971

- Legislature establishes Texas Motor Vehicle Commission and another agency to coordinate public transportation, the Texas Mass Transit Commission.

1974

- **January 20** – With the nation struggling through a gasoline shortage caused by the 1973 Arab-Israeli War, the maximum speed limit is reduced to 55 mph to conserve fuel.

1975

- Legislature passes Texas Coastal Waterway Act authorizing the state's nonfederal sponsorship of the Texas extent of the Gulf Intracoastal Waterway. The measure also designates the State Highway and Public Transportation Commission (now the Texas Transportation Commission) to act as agent for the state in fulfilling the new responsibility.
- **June 19** – Gov. Dolph Briscoe signs legislation folding the Mass Transportation Commission into the Highway Department, renaming the agency the State Department of Highways and Public Transportation.

1984

- Gas tax raised five cents to 10 cents a gallon.

1987

- Lawmakers increase gas tax to 15 cents a gallon.

1991

- Legislature passes House Bill 9 merging the Department of Aviation and the Motor Vehicle Commission into the State Department of Highways and Public Transportation, renaming the agency the Texas Department of Transportation.
- Congress passes the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. The new six-year transportation bill encourages more emphasis on safety, connectivity and pedestrian-bicycle traffic.
- Legislature establishes the Automobile Theft Prevention Authority.
- Legislature raises gas tax five cents to 20 cents a gallon.

1995

- Legislature moves the Automobile Theft Prevention Authority to TxDOT. Responsibility for railroad planning and motor-carrier regulation is transferred from the Railroad Commission to TxDOT. Legislature also abolishes the High Speed Rail Authority.
- **December 8** – Speed limit returns to 70 mph.

1997

- The Texas Turnpike Authority merges into TxDOT as a division.

1998

- Congress passes Transportation Efficiency Act for the 21st Century. Known as TEA-21, it guarantees Texas a 90.5 percent return on some federal motor-fuel tax dollars paid from Texas.

2001

- **November 6** – Texas voters approve Proposition 15, a constitutional amendment giving the state authority to finance and build transportation infrastructure in innovative ways. The amendment provides for the creation of a Texas Mobility Fund, the use of toll equity for roadway construction, and authorizes the Transportation Commission to create regional mobility authorities.

2002

- **January 30** – In a three-page letter to Transportation Commissioner John W. Johnson, Texas Gov. Rick Perry lays out broad concept of a 21st century transportation network for Texas, the Trans-Texas Corridor. The governor asks TxDOT to "assemble the department's top talent" to develop an implementation plan within 90 days.
- **June 27** – TxDOT presents a 95-page report on the Trans-Texas Corridor to the Transportation Commission. The commission unanimously approves the action plan, which sets forth a basic design for a 4,000-mile multi-use transportation system.

2003

- **June 19** – Governor Perry signs HB 3588 into law. "This mobility package," the governor says, "gives the Texas Department of Transportation new oversight authority, new planning and development tools, and innovative financing options to build the Trans-Texas Corridor more efficiently and at a lower cost."
- **September 13** – Voters overwhelmingly approve Proposition 14, a constitutional amendment making possible the bonding authority contained in HB 3588. For the first time in its history, TxDOT has the authority to enter the bond market to finance projects.
- **October 3** – Ground is broken for State Highway 130, a 49-mile toll way that will extend from Interstate 35 near Georgetown to U.S. 183 near Mustang Ridge in southeast Travis County. At $1.5 billion, this is the largest single highway construction project in Texas history and the largest active highway contract in the nation. The largest element of the planned Central Texas Turnpike Project, SH 130 is the result of the state's first and only use of an exclusive development agreement.

2004

- **February 26** – Trans-Texas Corridor public hearings completed in all 254 Texas counties.

- **December 16** – In the largest single roadway-safety program the department has ever undertaken, the Transportation Commission approves the allocation of $600 million for 644 safety projects across the state. To be funded through bond sales, the program will pay for widening narrow, two-lane roads, installing median barriers on divided highways, adding needed left-turn lanes, and building new overpasses.
- **December 16** – Transportation Commission selects Cintra-Zachry, a Spanish-Texas consortium, to develop the Trans-Texas Corridor-35, stretching from Oklahoma to Mexico. The private-sector proposal includes investing $6 billion in a multi-lane toll road from Dallas-Fort Worth to San Antonio by 2010 and giving Texas $1.2 billion for additional transportation improvements between Oklahoma and Mexico.

2005

- **February 24** – Transportation Commission votes to execute the state's first pass-through toll agreement – expediting transportation improvements in Montgomery County.
- **March 11** – Executive Director Mike Behrens, Cintra Executive Chairman Rafael del Pino and Zachry Construction Corp. President David Zachry sign a 103-page Comprehensive Development Agreement to begin the early planning for TTC-35, including its funding mechanisms.
- **March 18** – Commissioner Robert Nichols and Richard Davidson, Union Pacific's chief executive officer, sign an agreement between TxDOT and the railroad to work together to move freight-rail lines out of densely populated urban areas.
- **March 19** – A similar agreement is signed in Fort Worth with officials of the Burlington Northern Santa Fe railroad company.

2006

- **March 29** – A private-sector proposal submitted to the department by Cintra-Zachry declares that the consortium believes a new 600-mile freight-rail line from Dallas-Fort Worth to Mexico is timely and ready for development. As envisioned, the rail project could pull one million trucks a year off of I-35.
- **April 4** – The Federal Highway Administration approves a 4,000-page draft environmental impact statement for the Trans-Texas Corridor 35. The report narrows the corridor study area to roughly 10 miles wide from Gainesville to Laredo.
- **April 11** – The department issues a request for qualifications as the first step in a competitive selection process to develop a public-private partnership for developing the I-69/Trans-Texas Corridor from Northeast Texas to Mexico.
- **May 25 –** Texas became the first state in the nation to set an 80 mph daytime speed limit on 521 of its more than 79,000 miles of highway. The higher speed is posted only in low-population areas in the western portion of the state and amounts to less than one percent of the state roadway system. The limit was approved by a unanimous vote of the Transportation Commission based upon legislation enacted during the last regular session of the 79th Legislature.
- **June 14 –** Proposals for development of TTC-69, a segment of the Trans-Texas Corridor, were received from two competing private-sector groups, marking the beginning of development of the 600-mile, multi-billion dollar project, which will extend from Northeast Texas to Mexico.
- **June 29 –** The Texas Transportation Commission approved the first comprehensive development agreement, estimated at $1.3 billion, with the Cintra-Zachry consortium to finance and build the 40 remaining miles of State Highway 130 from Austin to Seguin.

The public-private partnership will finance costs of the project in return for the right to collect tolls on the roadway over the next 50 years.

- **September 1 –** TxDOT awarded a record $5.3 billion in construction projects in the 2006 fiscal year. The total surpassed the $4.5 billion obligated the previous fiscal year and almost doubled statewide spending four years ago.
- **September 28 –** The master development plan for the first phase of the Trans-Texas Corridor 35 segment (TTC-35) was released. Designed by Cintra-Zachry, the plan envisions a parallel alternative toll road to I-35, funded by the private sector. The project will include multiple separate lanes for tractor trailers, passenger vehicles, commuter and freight rail as well as a utilities passageway.
- **October 18 –** Texas became the first state to receive tax-exempt federal private activity bonds (PABs) since the bonds became eligible to fund highway projects. The bonds, totaling $1.8 billion, were made available through approval of the Texas Transportation Commission. The bonds will accelerate development of SH 121 in the Dallas area. Legislation stipulates private companies become the ultimate borrowers of the funds and arrange to repay the debt through toll revenue rather than state funds.
- **October 30** - An economic impact study, conducted by the Perryman Group, was commissioned by TxDOT in response to public demand for information on what TTC will mean to the Texas economy. According to the report, the economic stimulus over the next 25 years of the TTC-35 project from Oklahoma to Mexico is conservatively estimated at $1.4 trillion (in 2005 dollars), with 14.8 million person-years of employment gained.

2007

- **February 28**- Cintra Concesiones de Infraestructuras de Transporte (Cintra) will be recommended as the Comprehensive Development Agreement (CDA) developer for State Highway 121 in Collin and Denton Counties. As part of its proposal, Cintra will pay the region $2.8 billion to be used on other congestion-relieving projects.
- **March 29**- State transportation officials authorized funding reductions for multiple highway programs in response to a mandate from the federal government to return $288 million to Washington by April 19.
- **May** – 80th Legislature passes legislation that affects TxDOT including:
    - The Legislature approved an additional $3 billion in Proposition 14 bonds that will require us to mortgage future gas tax revenues in order to pay for projects now.
    - HB 1857 by Murphy/Carona provides more authority to counties that wish to regulate development around future transportation corridors.
    - SB 792 prohibits most CDAs, except for a few projects that can move forward in the major metropolitan areas. The authority to enter into concession CDAs expires in 2009, and the authority to enter into design-build CDAs, and CDAs exempted from the two-year moratorium expires in 2011. The bill authorizes toll authorities to issue bonds to pay for any costs associated with a toll project or to terminate a CDA contract.
    - An additional $3 billion in Proposition 14 bonds are authorized in SB 792 (up to $1.5 billion can be issued per year), 20 percent of which must be spent on safety projects.

- **June 14**- The Texas Transportation Commission authorized TxDOT to work with local toll entities such as regional tollway authorities, regional mobility authorities and counties to begin moving forward on 87 projects that are currently years away from being fully funded.
- **June 28** - The Texas Transportation Commission approved a recommendation from North Texas leaders to accelerate improvements to SH 121 and 30 other congestion-relieving projects throughout North Texas by pursuing a proposal from the North Texas Tollway Authority (NTTA).

IV. Policymaking Structure

A. Complete the following chart providing information on your policymaking body members.

Texas Department of Transportation Exhibit 3: Policymaking Body			
Member Name	**Term/ Appointment Dates/ Appointed by ___** (e.g., Governor, Lt. Governor, Speaker)	**Qualification** (e.g., public member, industry representative)	**City**
Ric Williamson, Chair	Appointed by the Governor March 2001/ Designated chair effective Jan. 29, 2004. Expired February 1, 2007	Represents the general public	Weatherford
Hope Andrade	Appointed by the Governor December 2003 Expired February 1, 2007	Represents the general public	San Antonio
Ted Houghton	Appointed by the Governor December 2003 Expires February 1, 2009	Represents the general public	El Paso
Ned S. Holmes	Appointed by the Governor January 2007 Expires February 1, 2011	Represents the general public	Houston
Fred Underwood	Appointed by the Governor January 2007 Expires February 1, 2009	Represents the rural areas of the state	Lubbock

B. Describe the primary role and responsibilities of your policymaking body.

The commission possesses the policy-making responsibilities for TxDOT. The commission is responsible for planning the location, construction, and maintenance of a comprehensive system of state highways and public roads. The commission is required to enhance existing sources of revenue and create alternate sources of revenue.

C. How is the chair selected?

Designated by the Governor.

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

N/A

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2006? in FY 2007?

Monthly, with special meetings at the call of the chair. The commission held 12 meetings in FY 2006 and will hold 17 in FY 2007.

F. What type of training do members of your agency's policymaking body receive?

Before taking office, a person appointed as commissioner must complete a training program that complies with Transportation Code, § 201.059.

G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.

43 TAC §1.1 sets out the responsibilities of the commission. The commission elects an executive director to administer the day-to-day operations of TxDOT. 43 TAC §1.2 sets out the duties and responsibilities of the executive director and the responsibilities of TxDOT staff.

H. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?

Construction Contract Reports -- The commission receives monthly reports on contract spending and eminent domain issues.

Division Reports -- TxDOT divisions and offices provide monthly briefings to commissioners' aides concerning new situations and controversial issues facing TxDOT. The items may or may not be on the agenda for the commission's next meeting.

Advisory Reports -- The commission receives regular reports from advisory entities, including:

- Grand Parkway Association annual report on projects and activities
- Border Trade Advisory Committee Report
- Report on status of Trans-Texas Corridor 35 Comprehensive Development Agreement procurement
- Port Authority Advisory Committee -- Port Capital Program report.

Other Reports -- TxDOT staff provides reports, plans, and programs to the commission on a regular basis. Many of these describe the status of operations. Most of these documents do not require the commission to take action, other than to approve, if appropriate. These documents include:

- General engineering consultant quarterly progress reports for Central Texas Turnpike System
- Quarterly Investment Report
- Annual review of investment policy
- Quarterly Cash Report
- Legislative Appropriations Request
- Operating Budget for the fiscal year
- Annual report of financial information and operating data relating to the lease with an option to purchase for the Houston District Headquarters Complex Project
- Annual Report -- Texas Mobility Fund
- Annual Report -- State Highway Fund
- Texas Mobility Fund audited financial statements
- Central Texas Turnpike System audited financial statements
- 2007-2011 Strategic Plan
- Statewide Mobility Program
- Status Report on Pass-Through Tolls
- Annual Highway Safety Plan
- Report on Legislation passed during the most recent session of the Texas Legislature
- Report to United States Congress making recommendations to accelerate the delivery of transportation infrastructure
- Relief from Local Matching Funds (Economically Disadvantaged Counties Program) Report
- Gulf Intracoastal Waterway Report
- Automobile Theft Prevention Authority Report
- Report on the Statewide Regional Public Transportation Coordination Effort, including information on barriers, constraints and opportunities to maximize public transportation coordination in Texas
- Report from the Texas Transit Association with an overview of the status of public transportation and issues concerning public transportation, which is provided before upcoming legislative sessions
- Report on the connection between placement of transportation facilities and their impact on surrounding land uses
- Report and analysis of statewide pavement conditions and the impacts on present and future available resources
- Reports from the hurricane work group
- Regional reports, such as reports from Dallas/Fort Worth Area Partners in Mobility and the report on public comments received from the Dallas/Fort Worth region concerning the Tier One Draft Environmental Impact Statement for the proposed Trans-Texas Corridor (the Oklahoma to Mexico/Gulf Coast Element) project

Reauthorized Programs -- Some TxDOT programs are reauthorized by the commission at fixed intervals. Information is provided to the commission concerning these programs, which include:

- State Planning and Research Program
- Statewide Transportation Improvement Program

Project Selection Process Information -- The commission regularly receives data, comments, views, and testimony concerning the highway project selection process and the relative importance of the various criteria on which the commission bases its project selection decisions relating to the Unified Transportation Program.

I. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

A person may speak before the commission on any matter on a posted agenda. A person may request the department to add an item within the jurisdiction of the commission to the commission agenda. Additionally, after the posted agenda of a regular business meeting, the commission allows an open comment period to receive public comment on any other matter under the jurisdiction of the commission. Finally, the commission is authorized to hold public hearings to receive public input on, in addition to other matters, the design, schematic layout, and environmental impact of transportation projects; annually to receive public input on the commission's highway project selection process and the relative importance of the various criteria on which the commission bases its project selection decisions; to receive comments before converting a segment of the non-tolled state highway system to a toll project; to receive comments before approving any financial assistance for aviation facilities development; and to provide, when deemed appropriate by the commission or required by law, for public input regarding any other issue under the jurisdiction of the commission. The gathered information is considered when making decisions.

Additionally, the commission may consider a discussion item at a commission meeting. The purpose of the discussion item is to allow informal dialogue regarding a problem that needs resolution or policy formation. A discussion item is put on the agenda at the request of the commission or staff. Use of a discussion item allows the commissioners to question staff and receive public input on the discussion item and to openly discuss the item among themselves without having to adopt a policy or sign a minute order concerning the item at that meeting. Its use allows staff to bring a problem to the commission to get a better understanding of the direction that the commissioners might want to take before the commission is required to make a formal decision.

J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart.

Texas Department of Transportation
Exhibit 4: Subcommittees and Advisory Committees

Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
Aviation Advisory Committee	Appointed by commission. Six members.	Reviews adopted capital improvement program; advises commission on the preparation and adoption of an aviation facilities development program and on the establishment and maintenance of a method for determining priorities among locations and projects to receive state financial assistance for	Transportation Code, §21.003

		aviation facility development; advises commission on the preparation and update of a multi-year aviation facilities capital improvement program.	
Public Transportation Advisory Committee	Appointed by commission. Eleven members: four represent a cross-section of public transportation providers; three represent a cross-section of transportation users; three represent the general public; and one with experience in the administration of health and human services programs.	Advises commission on the needs and problems of the state's public transportation providers; comments on rules involving public transportation matters; advises commission on the implementation of Transportation Code, Chapter 461 (Statewide Coordination of Public Transportation).	Transportation Code, §455.004
Port Authority Advisory Committee	Appointed by commission. Seven members: one member from the Port of Houston Authority of Harris County; three members from ports located on the upper Texas coast; and three members from ports located on the lower Texas coast.	Prepares a port mission plan; reviews each project eligible to be funded under Transportation Code, Chapter 55, and recommends for approval or disapproval; maintains trade data information to assist state ports and international trade; annually prepares list of projects recommended by the committee; and advises commission and department on matters relating to port authorities.	Transportation Code, §55.006
Border Trade Advisory Committee	Border commerce coordinator designated under Section 772.010, Government Code, and other members appointed by commission, including the presiding officers, or designee, of the policy boards of metropolitan planning organizations wholly or partly in the department's Pharr, Laredo, Odessa, or El Paso transportation district; person serving in the capacity of executive director of each entity governing a port of entry in this state or that person's	Defines and develops strategy for identifying and addressing the highest priority border trade transportation challenges; makes recommendations regarding ways in which to address the highest priority border trade transportation challenges; advises the commission on methods for determining priorities among competing projects affecting border	Transportation Code, §201.114

	designee; and a representative each from at least two institutes or centers operated by a university in this state that conduct continuing research on transportation or trade issues.	trade.	
Project advisory committees	Composed of not more than 24 members. Executive director may authorize a district engineer to create project advisory committee composed of: department staff; affected property owners and business establishments; technical experts; professional consultants representing the department; and representatives of local governmental entities, the general public, chambers of commerce, and the environmental community.	Maintains community and local government communication and responds to affected parties' concerns about project development and construction.	43 TAC §1.85
Rulemaking advisory committees	Appointed by commission. Composed of not more than 24 members. Experts or interested persons or representatives of the public.	Provides advice and recommendations relating to specific contemplated rulemaking.	Government Code, §2001.031
Intelligent Transportation Systems (ITS) Steering Committees	Appointed by district engineer, in conjunction with local officials. Composed of not more than 24 members.	Provides advice and recommendations related to ITS project priorities; approving projects; project funding; coordinating public and private ventures; and promoting ITS at local, state, and national levels.	43 TAC §1.85
Bicycle Advisory Committee	Appointed by commission. Composed of not more than 24 members. Representatives of the public, including bicyclists and other interested parties.	Advises commission concerning development of bicycle tourism trails; provides recommendations on the selection of projects under Safe Routes to School Program and on items of mutual concern between the department and the bicycling community.	Transportation Code, §201.9025 and 43 TAC §1.85
Trans-Texas Corridor advisory committees	Appointed by commission. Composed of not more than 24 members. Department staff; affected property owners and business establishments; technical experts; professional	Provides advice and recommendations regarding facilities to be included in a development plan for the Trans-Texas Corridor or a	43 TAC §1.85

	consultants representing the department; representatives of local governmental entities; the general public; chambers of commerce; and the environmental community.	project that is part of the Trans-Texas Corridor.	
Utility Prepayment Funding Program Rules Advisory Committee	Seven members; appointed by commission. Five represent a cross section of private utility companies (gas, electric, water, telecommunications), and two represent local governmental entities (city and river authority).	Advises commission on procedures needed for establishment of new utility relocation funding program.	Transportation Code, §203.0922

V. Funding

A. Provide a brief description of your agency's funding.

TxDOT's 2006–07 biennial appropriations include the following funding sources.

- State revenues and bond proceeds deposited to State Highway Fund 6
- Federal Funds
- Texas Mobility Fund 0365
- Texas Highway Beautification Account No. 071, a General Revenue Fund Account
- General Revenue Funds
- General Obligation Bond Proceeds
- Appropriated Receipts

B. List all riders that significantly impact your agency's budget. Source : GAA, 79th Leg R.S.

Article VII

DEPARTMENT OF TRANSPORTATION

2. Capital Budget. Notwithstanding the capital budget provisions in the General Provisions of this act, none of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. No additional funds may be transferred to the capital budget items listed below without first obtaining written approval from the Legislative Budget Board and the Governor. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code, § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2006	2007
Out of the State Highway Fund No. 006:		
a. Acquisition of Land and Other Real Property	$ 2,142,400	$ 1,027,400
b. Construction of Buildings and Facilities	9,810,000	59,280,000

c. Repair or Rehabilitation of Buildings and Facilities	13,295,000	8,773,860
d. Acquisition of Information Resource Technologies	22,134,340	18,368,640
e. Transportation Items	10,987,965	10,624,968
f. Acquisition of Capital Equipment and Items	47,179,410	47,424,950
Total, Capital Budget	$ 105,549,115	$ 145,499,818

3. Transfer Authority. The Department of Transportation is hereby authorized to transfer appropriations from any Strategy into Strategy C.1.1, Contracted Maintenance, Strategy A.1.2, Contracted Planning and Design, Strategy A.1.3, Right-of-Way Acquisition, and Strategy B.1.1, Transportation Construction. In addition, funds may be transferred between Strategies, except that no funds may be transferred out of Strategies C.1.1, Contracted Maintenance, or A.1.2, Contracted Planning and Design, Strategy A.1.3, Right-of-Way Acquisition, or B.1.1, Transportation Construction, except for transfers made between those Strategies. The department may transfer an amount not to exceed 10 percent of the amounts appropriated in Strategy A.1.1, Plan/Design/Manage, in fiscal year 2006 and 10 percent of the amounts appropriated in Strategy A.1.1, Plan/Design/Manage, in 2007 from strategies C.1.1, Contracted Maintenance, A.1.2, Contracted Planning and Design, Strategy A.1.3, Right-of-Way Acquisition, or B.1.1, Transportation Construction, into Strategy A.1.1, Plan/Design/Manage. Appropriations transferred may not be transferred to any other Strategy.

4. Magazine Appropriations. The Department of Transportation is directed to set subscription rates and other charges for Texas Highways Magazine at a level that will generate receipts approximately sufficient to cover the costs incurred in the production and distribution of the magazine. In addition to funds appropriated above, the department is hereby appropriated to Strategy D.3.1, Travel Information, any magazine revenues generated above $5,462,846 for the 2006 fiscal year and $5,505,348 for the 2007 fiscal year. Funds may be utilized only for the purpose of magazine costs. The Department of Transportation may transfer revenues available from prior years subscription fees to Strategy D.3.1, Travel Information, in the event of unforeseen or unusual expenditures associated with the production costs of the Texas Highways Magazine. The Department of Transportation is hereby appropriated all revenue collected from the sale of promotional items as authorized by Transportation Code, § 204.009.

8. Appropriation Balances. Any unobligated balance remaining after the first year of the biennium in Strategy D.1.3, Registration and Titling, above for the purpose of purchasing vehicle license plates and vehicle registration validation stickers, and enhancing the automated registration and titling system in accordance with the provisions of Transportation Code, Chapter 502, may be used for the same purpose during the second year of the biennium. Any expended amounts from revenue collected as a result of Transportation Code § 502.1705 may be used to purchase capital budget items each year and the capital budget appropriations shall be increased by a like amount.

11. Gross Weight and Axle Fees. Amounts from State Highway Fund No. 006 equivalent to amounts collected from gross weight and axle weight fees are appropriated for distribution to counties as provided in VTCA, Transportation Code, § 621.353 (estimated to be $4,700,000 each year). All unexpended balances as of August 31, 2005 (estimated to be $0), and amounts from State Highway Fund No. 006 equivalent to all revenue received from gross weight and axle weight fees during the 2006-07 biennium are appropriated for the same purpose.

12. Aviation Services Appropriations. Out of funds appropriated above in Strategy B.1.2, Aviation Services, to the Texas Department of Transportation from State Highway Fund No. 006, an amount not to exceed $25,000,000 in fiscal year 2006 is contingent upon balances of the same amount remaining in Strategy B.1.2, Aviation Services, as of August 31, 2005, from appropriations made to the department for airport development grants in the 2004-05 biennium. In the event that actual and/or projected balances are insufficient for appropriations identified above for this purpose, the Comptroller is hereby directed to reduce the appropriation authority in Strategy B.1.2, Aviation Services, provided by this Act to the Texas Department of Transportation to be within the amount expected to be available each year.

13. Interagency Agreements. Out of funds appropriated in Strategy D.3.1, Travel Information, $670,000 through interagency contracts with the Commission on the Arts and $500,000 through interagency

contracts with the Texas Historical Commission each fiscal year shall be used to showcase the arts, culture, and historical diversity in Texas to promote tourism.

15. Trust Fund 927. The Department of Transportation is hereby authorized to receive and hold funds in Trust Fund No. 927 (county or political subdivision road participation account) from governmental and private entities for purposes of reimbursing State Highway Fund No. 006 for expenses incurred with transportation projects, including highway and aviation.

16. State Highway Fund Reimbursement. To the extent that funds are made available from local governments under Transportation Code § 22.055(b), the department is hereby appropriated amounts as necessary from State Highway Fund No. 006 for purposes authorized by Chapter 22 of the Texas Transportation Code. Funds made available to the department under Transportation Code § 22.055(b) are to be used only for the purpose of reimbursing State Highway Fund No. 006.

17. District Discretionary Funds. Out of the funds appropriated above in Strategy B.1.1, Transportation Construction, the Department of Transportation shall allocate a minimum of $2.5 million for each district to the State District Discretionary Category each fiscal year. These funds may not be used for highway construction project cost overruns or shortfalls.

23. Green Ribbon Project Expansion. It is the intent of the Legislature that the Department of Transportation expand the Green Ribbon Project, a public-private partnership initiative to enhance the appearance of public highways by incorporating in the design and improvement of public highways the planting of trees and shrubs, emphasizing natural beauty and greenspace, integrating public art, and highlighting cultural uniqueness of neighborhoods, to other areas of the state. Furthermore, in non-attainment and near non-attainment areas, in connection with a contract for a highway project, the department shall allocate to the district or districts in which the project is located an amount equal to not less than one half of one and not to exceed 1 percent of the amount to be spent under the contract for construction, maintenance, or improvement of the highway. If two or more districts share an allocation under this section, the districts shall divide the allocation according to the portion of the amount under the contract that will be spent in each district. A district that receives an allocation under this rider shall spend not less than one half of the allocation for landscaping and other enhancements included in the Green Ribbon program as improvements associated with the project that was the subject of the contract. The district may spend the allocated money that is not used for landscaping improvements associated with the project that was the subject of the contract for landscaping improvements associated with another highway or highway segment located in the district. For purposes of this rider, landscape improvements means planting of indigenous or adapted trees and other plants that are suitable for the climate in which they will be located, and preparing the soil and installing irrigation systems for the growth of the trees and plants. In nonattainment and near non-attainment areas, the district or districts shall, to the extent possible, use trees and plants that help mitigate the effects of air pollution.

24. Tourist Information Center. From funds appropriated above, the Texas Department of Transportation shall allocate $100,000 each year of the biennium for the establishment and operation of a tourist information center in the Lufkin District contingent on the donation of property and a facility by a local municipality. The tourist information center must be along the federally designated El Camino Real de los Tejas.

26. Appropriation for Medical Transportation Services. In addition to amounts appropriated above in Strategy D.1.2, Medical Transportation, the Texas Department of Transportation is hereby appropriated from the State Highway Fund No. 006 any additional amounts necessary in fiscal year 2006 and 2007, to Strategy D.1.2, Medical Transportation, to be used to provide recipient transportation services as required by federal and state programs administered by the Texas Workforce Commission and health and human services agencies in accordance with House Bill 2292 and House Bill 3588, Seventy-eighth Legislature, Regular Session. The Texas Department of Transportation shall enter into a memorandum of understanding with the Texas Workforce Commission, Health and Human Services Commission, and all necessary health and human services agencies to implement the interagency agreements required by House Bill 3588 and House Bill 2922.

27. Miscellaneous Pay Provisions.

a. **Holiday Pay.** Notwithstanding other provisions of this bill, the Department of Transportation is authorized to grant compensatory time off or to pay hourly employees for work performed on official state holidays in addition to any applicable holiday pay.

b. **Compensatory Pay.** In order to operate in the most economical manner, when inclement weather or other circumstances beyond the control of the department prevent construction or maintenance employees from performing their normal duties, the Department of Transportation is authorized to grant such employees time off with pay with the hours charged to the Compensatory Time Taken Account, provided that such advanced time must be repaid by the employee at a time, and in the most appropriate manner as determined by the department within the following twelve months or at termination, whichever is sooner.

c. **Standby Pay.** It is expressly provided that the Department of Transportation, to the extent permitted by law, may pay compensation for on-call time at the following rates: credit for one hour worked per day on-call during the normal work week, and two hours worked per day on-call during weekends and holidays; this credit would be in addition to actual hours worked during normal duty hours or while on-call. Nonexempt employees who work a normal 40 hour work week, and also work on-call duty, will receive FLSA overtime rates for the on-call duty.

d. **Pay for Regular Compensatory Time.** It is expressly provided that the Department of Transportation, to the extent permitted by law, may pay FLSA exempt and FLSA nonexempt employees on a straight-time basis for work on a holiday or for regular compensatory time hours when the taking of regular compensatory time off would be disruptive to normal business functions.

e. **Underwater Bridge Inspections.** To more adequately compensate employees who perform hazardous duties for the state, the Department of Transportation is authorized to compensate employees who perform underwater bridge inspections an additional rate of pay of up to $25 per hour for actual time spent performing underwater bridge inspections.

28. Bond Programs. The Texas Department of Transportation:

a. in accordance with Section 49-k of Article III of the Texas Constitution; is hereby appropriated during each year of the biennium:

(1) all revenue of the state that is dedicated or appropriated to the Texas Mobility Fund No. 365 in accordance with Section 49-k (e) of Article III of the Texas Constitution, and such funds shall be deposited as received into the Texas Mobility Fund No. 365;

(2) all available funds in the Texas Mobility Fund No. 365, including any investment income, for the purposes outlined in Section 201, Subchapter M, Transportation Code; and

(3) such amounts to be transferred to the Texas Mobility Fund No. 365 in accordance with Section 49-k (g) of Article III of the Texas Constitution and Section 201, Subchapter M, Transportation Code, as may be necessary to make payments when due on any bonds, notes, other obligations, or credit agreements issued or entered into pursuant to Section 201, Subchapter M, Transportation Code, to the extent that the available funds in the Texas Mobility Fund No. 365 are insufficient for such purposes.

b. in accordance with Subchapter N of Chapter 201, Transportation Code, is authorized during the biennium to pay out of amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, debt service payments for notes issued or money borrowed in anticipation of a temporary cash shortfall in the State Highway Fund No. 006.

c. in accordance with Section 49-m of Article III of the Texas Constitution and Section 201.115 of Chapter 201, Transportation Code, is authorized to pay out of amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, debt service payments for notes issued or money borrowed on a short-term basis to carry out the functions of the department.

d. in accordance with Section 49-n of Article III of the Texas Constitution and Subchapter A of Chapter 222, Transportation Code, is authorized during each fiscal year of the biennium to pay out of amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, amounts due under bonds, other public securities and bond enhancement agreements that are issued or entered into to fund highway improvement projects and that are secured by and payable from revenue deposited to the credit of the State Highway Fund No. 006.

30. Unexpended Balance Appropriation: Colonia Projects. Any unexpended balances in General Obligation Bond Proceeds remaining as of August 31, 2005, from the appropriation made to Strategy B.1.1, Transportation Construction, by the Seventy-eighth Legislature, Regular Sessions, (estimated to be $0) are hereby appropriated to the Texas Department of Transportation for the biennium beginning September 1, 2005, for the same purpose. Any unexpended balances of these funds remaining as of August 31, 2006, are hereby appropriated to the Texas Department of Transportation for the fiscal year beginning September 1, 2006, for the same purpose.

31. Additional Funds. Except during an emergency as defined by the Governor, no appropriation of additional State Highway Funds may be expended by the Texas Department of Transportation unless:
a. the Texas Department of Transportation submits a separate report within forty five (45) days of the end of the second quarter of each fiscal year to the Legislative Budget Board and the Governor outlining any additional funds available above amounts estimated for the 2006-07 biennium, their anticipated uses and projected impacts; and,
b. the Legislative Budget Board and the Governor issue a written approval or specify an alternate use for the additional funds.

33. Local Government Assistance. The Texas Department of Transportation, pursuant to Texas Transportation Code § 201.706, may assist cities with the maintenance of city streets by providing engineering/maintenance expertise on roadway maintenance and when surplus materials are available, the department shall make available the surplus materials to any local government needing such materials. For those cities that adopt or have adopted either a street use fee for maintenance or a specialized fee for street accessibility improvements as part of their local utility fees, the Department is authorized to coordinate its accessibility programs with those cities including providing engineering expertise where possible.

36. Auto Theft Appropriation. All fees collected in excess of $15,000,000 in fiscal year 2006, and $15,050,000 in fiscal year 2007, pursuant to VTCS, Title 70, Article 4413 (37), from General Revenue (Object Code 3206) in the Comptroller's Biennial Revenue Estimate (estimated to be $0) are hereby appropriated to Strategy D.4.1, Automobile Theft Prevention.

41. Appropriations Transfer Reporting Requirement. The Department of Transportation shall submit to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, an annual report of transfers made under the authority of Rider 3, Transfer Authority, above no later than 10 days after September 1 of each year.

42. State Data Center. Pursuant to the denial of the Texas Department of Transportation's waiver application by the Legislative Budget Board and pursuant to the Legislature's vision as expressed in Senate Bill 1701, 78th Legislature, Regular Session, the Texas Department of Transportation shall complete the migration of data center operations to the State Data Center located on the campus of Angelo State University by September 1, 2005, unless the Legislative Budget Board determines that a cost-effective agreement cannot be reached. If the Texas Department of Transportation fails to complete migration of data center operations by the above date, the Department of Information Resources shall notify the Legislative Budget Board and the Department of Transportation of the violation. After notification, the Texas Department of Transportation may not spend appropriated money for data center operations without the prior approval of both the Executive Director of the Department of Information Resources and the Legislative Budget Board. Upon the enactment of Senate Bill 1547, House Bill 1516, or similar legislation by the Seventy-ninth Legislature, Regular Session, relating to the Department of Information Resources' management of state electronic services, this rider has no effect.

44. Courthouse Preservation Program Grants. Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $80 million in federal Transportation Enhancement Program funds administered by the department for courthouse preservation projects whenever such projects are approved by the Texas Historical Commission's Courthouse Preservation Program and meet federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Historical Commission in conjunction with the Texas

Department of Transportation will review courthouse preservation projects to determine if courthouse projects meet the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the costs of administering courthouse projects approved for federal Transportation Enhancement Program funds. In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for courthouse preservation under the Transportation Enhancement Program to other available projects should such courthouse projects fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

45. Battleship TEXAS. Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $16,090,050 in federal Transportation Enhancement Program funds administered by the department for the Battleship TEXAS project if the Battleship TEXAS project meets federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Parks and Wildlife Department in conjunction with the Texas Department of Transportation will review the Battleship TEXAS project to determine if the Battleship TEXAS project meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Battleship TEXAS project approved for federal Transportation Enhancement Program funds. In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Battleship TEXAS project under the Transportation Enhancement Program to other available projects should the Battleship TEXAS project fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

46. Texas Emancipation Juneteenth Cultural and Historical Commission Memorial Monument. Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $602,645 in federal Transportation Enhancement Program funds administered by the department for the Juneteenth Memorial Monument project if the Juneteenth Memorial Monument project meets federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Emancipation Juneteenth Cultural and Historical Commission in conjunction with the Texas Department of Transportation will review the Juneteenth Memorial Monument project to determine if the Junteenth Memorial Monument project meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Juneteenth Memorial Monument project approved for federal Transportation Enhancement Program funds. In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Juneteenth Memorial Monument project under the Transportation Enhancement Program to other available projects should the Juneteenth Memorial Monument project fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

47. Woodall Rodgers Highway Enhancement Park. Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $10 million in federal Transportation Enhancement Program funds administered by the department for the Woodall Rodgers Highway Enhancement Park project if the Woodall Rodgers Highway Enhancement Park project meets federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Department of Transportation will review the Woodall Rodgers Highway Enhancement Park project to determine if the Woodall Rodgers Highway Enhancement Park project meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Woodall Rodgers Highway Enhancement Park project approved for federal Transportation Enhancement Program funds. In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Woodall Rodgers Highway Enhancement Park project under the Transportation

Enhancement Program to other available projects if the Woodall Rodgers Highway Enhancement Park project fails to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

51. Houston District Headquarters Facility. In addition to the amounts appropriated above for fiscal year 2007 in Strategy E.1.4, Regional Administration, the Department of Transportation is hereby appropriated an amount not to exceed $40,000,000 from State Highway Fund No. 006 to fund project costs associated with, and to pay the purchase option price through exercising the purchase option under the lease with an option to purchase relating to the design, construction, and renovation of, the Department's Houston District office headquarters facilities. In addition, the capital budget authority above in Rider 2, Capital Budget, shall be increased in fiscal year 2007 by $40,000,000 and any remaining proceeds received by the Department of Transportation upon the exercise of the purchase option under such lease shall be deposited to the credit of State Highway Fund No. 006 (estimated to be $0) and shall be appropriated to the department for the design, construction, and renovation of such facilities.

52. Houston Fire Museum. Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $2 million in federal Transportation Enhancement Program funds administered by the department for a Houston Fire Museum, Inc., construction project if the Houston Fire Museum, Inc., construction project meets federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Department of Transportation will review the Houston Fire Museum, Inc., construction project to determine if the construction of the Houston Fire museum, Inc., meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Houston Fire Museum, Inc., construction project approved for federal Transportation Enhancement Program funds. In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Houston Fire Museum, Inc., construction project under the Transportation Enhancement Program to other available projects should the Houston Fire Museum, Inc., construction project fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

53. Appropriation for Rail Safety Fees. Included in the amounts appropriated above are amounts collected and deposited to the General Revenue Fund from the assessment of fees on railroad operators pursuant to Texas Revised Civil Statutes, Article 6448a, not to exceed $954,173 in each fiscal year of the 2006-07 biennium. These funds shall be used to operate the rail safety program in Strategy D.5.1, Rail Safety. These appropriations are contingent upon the Texas Department of Transportation assessing fees sufficient to generate, during the 2006-07 biennium, revenue to cover, at a minimum, the General Revenue appropriations for the rail safety program as well as "Other direct and indirect costs" for the program, appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be $310,327 in fiscal year 2006 and $348,348 in fiscal year 2007. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

Other State Agencies that have Fund 6 listed as a MOF or specifically name a payment obligation by TxDOT:

Article I

COMMISSION ON THE ARTS

Rider 3. Interagency Agreement. Out of amounts included above in Strategy A.1.1, Arts Organization Grants, and Strategy B.1.1, Cultural Tourism, the Commission on the Arts shall expend $1,340,000 during the biennium beginning September 1, 2005, transferred from the Texas Department of Transportation through interagency contract, to showcase the arts and cultural diversity in Texas to promote tourism.

OFFICE of the ATTORNEY GENERAL
Rider 19. Litigation Related to the Conversion of Mineral Rights on State Property. Included in amounts appropriated above in Strategy A.1.1, Legal Services, is $1,700,000 from the State Highway Fund 6 for the 2006-07 biennium for litigation expenses related to the conversion of mineral rights on state property.

HISTORICAL COMMISSION
Rider 7. Tourism: Promotion of Historical Sites. Out of amounts included above in Strategy A.2.1, Development Assistance, the Texas Historical Commission, pursuant to Government Code, Chapter 481.172 and Chapter 442.005(s), shall expend $300,000 during the biennium beginning September 1, 2005, transferred from the Office of the Governor, Economic Development and Tourism, and $1 million during the biennium beginning September 1, 2005, transferred from the Texas Department of Transportation through interagency contract, to showcase historical sites in order to promote tourism and to encourage travel to the state's historical attractions.

Article II

HEALTH AND HUMAN SERVICES COMMISSION
Rider 35. Road Construction and Maintenance at State Facilities. Notwithstanding any other provision in law, the Texas Department of Transportation shall construct, repair, and maintain roads in and providing access to and from Department of State Health Services and Department of Aging and Disability Services mental health and mental retardation facilities.

Article III

TEXAS TRANSPORTATION INSTITUTE
Rider 3. Transportation Safety Center. Out of State Highway Fund No. 006, $500,000 in fiscal year 2006 and $500,000 in fiscal year 2007 shall be used to fund the Transportation Safety Center to conduct research, education, and technology transfer to improve the safety of Texas' roads and highways.

Rider 4. Transportation Studies Center. Out of State Highway Fund No. 006, $850,000 in fiscal year 2006 and $850,000 in fiscal year 2007 shall be used to fund the Transportation Studies Center in El Paso to conduct research, education, and technology transfer to improve the safety of Texas' roads and highways.

Article V

ADJUTANT GENERAL
Rider 10. Road Construction and Maintenance at Camp Mabry Facilities. The Texas Department of Transportation shall construct, repair, and maintain roads in and providing access to and from Camp Mabry facilities.

DEPARTMENT OF PUBLIC SAFETY
Rider 28. Appropriations Limited to Revenue Collections: Automobile Emission Inspections. Included in amounts appropriated above in Strategy A.1.3. Vehicle Inspection Program, is $7,341,226 ($5,064,268 in State Highway Funds and $2,276,958 in General Revenue Funds) each fiscal year for the operation of the vehicle emissions inspection and maintenance program pursuant to § 382.037, Health and Safety Code, and Executive Order GWB96-1. If additional counties are brought into the vehicle emissions inspection and maintenance program, 80 percent of revenues generated from the vehicle emissions and inspections fee in excess of the Comptroller's Biennial Revenue Estimate in each fiscal year 2006 and 2007 are hereby appropriated to the agency for the purpose of developing, administering, evaluating, and maintaining the vehicle emissions inspection and maintenance program in the additional counties. In addition, if additional counties are brought into the vehicle emissions inspection and maintenance program, the "Number of Full-Time-Equivalents (FTE)" is further increased by 15 for fiscal year 2006 and 15 for fiscal year 2007, to implement the program in the additional counties.

Rider 49. Selective Traffic Enforcement Program. Funds appropriated above to Strategy A.1.1, Highway Patrol, include $10,000,000 in fiscal year 2006 and $10,000,000 in fiscal year 2007 from the State Highway Fund No. 006 and shall be used for the Selective Traffic Enforcement Program at the Department of Public Safety. (Page V-53)

Rider 53. Gasoline Contingency. In addition to funds appropriated above and contingent upon certification by the Comptroller of Public Accounts, the Department of Public Safety is hereby appropriated up to $40,000 per year from State Highway Fund No. 006 for each cent increase in the average gasoline cost per gallon to the department above $1.38 per gallon (estimated to be $40,000 in fiscal year 2006 and $40,000 in fiscal year 2007 from the State Highway Fund No. 006). The level of appropriation described above is to be prorated based on the number of months remaining in the fiscal year from the date of certification by the Comptroller of Public Accounts.

Rider 57. Additional Capital Budget - Helicopter. In addition to the provisions of Rider 3, Additional Capital Budget Authority, the Department of Public Safety is authorized to make the capital purchase of one additional helicopter in the amount of $2,406,193 to be stationed in San Antonio utilizing seized funds. The Department is also authorized two additional pilot investigator positions. The "Number of Full-Time-Equivalent Positions (FTE)" indicated above is hereby increased by two. The Department is hereby appropriated $397,226 for fiscal year 2006 and $301,226 for fiscal year 2007 for the additional FTE positions, capital, and operating costs from the State Highway Fund No. 006.

Article VII

TEXAS WORKFORCE COMMISSION

Rider 25. Transportation Services. Out of the funds appropriated above in Strategy A.1.3, TANF Choices and Strategy A.1.5, Food Stamp Employment and Training, the Texas Workforce Commission shall enter into a memorandum of understanding with the Texas Department of Transportation for the provision of transportation services provided to clients of the TANF Choices and Food Stamp Employment and Training programs during the 2006-07 biennium, pursuant to § 455.0015 of the Transportation Code and § 301.063 of the Labor Code, with $6,403,882 in fiscal year 2006 and $6,403,882 in fiscal year 2007 amounts in Strategy A.1.3, TANF Choices, and $425,470 in fiscal year 2006 and $425,470 in fiscal year 2007 amounts in Strategy A.1.5, Food Stamp Employment and Training in interagency contract receipts for the Texas Department of Transportation appropriated to the Texas Workforce Commission for this purpose. (page VII-41)

C. Show your agency's expenditures by strategy

Texas Department of Transportation
Expenditures by Strategy, FY 2006 (Estimated) – Source FY 2008/09 TxDOT LAR

Goal/Strategy	Total Amount
Goal 1.1.1/Plan, Design, and Manage Transportation Projects	333,254,937
Goal 1.1.2/Contracted Planning and Design of Transportation Projects	435,536,718
Goal 1.1.3/Optimize Timing of Transportation Right-of-way Acquisition	523,755,938
Goal 1.1.4/Fund Research and Development to Improve Transportation Operations	22,089,927
Goal 2.1.1/Transportation Construction. Estimated	3,028,376,914
Goal 2.1.2/Support and Promote General Aviation	64,872,800

Goal 3.1.1/Contract for Transportation System Maintenance Program	2,016,294,378
Goal 3.1.2/Provide State Transportation System Routine Maintenance/Operations	511,700,795
Goal 3.1.3/Support the Gulf Intracoastal Waterway	2,344,722
Goal 3.1.4/Maintain and Operate Ferry Systems in Texas	32,344,790
Goal 4.1.1/Support and Promote Public Transportation	70,299,322
Goal 4.1.2/Support Medical Transportation	106,683,719
Goal 4.1.3/Registration and Titling	59,610,907
Goal 4.1.4/Vehicle Dealer Regulation	5,354,804
Goal 4.2.1/Traffic Safety	30,802,638
Goal 4.3.1/Travel Information	18,025,528
Goal 4.4.1/Automobile Theft Prevention	12,789,309
Goal 4.5.1/Ensure Rail Safety through Inspection and Public Education	719,519
Goal 5.5.1/Central Administration	38,155,735
Goal 5.1.2/Information Resources	35,181,496
Goal 5.1.3/Other Support Services	37,560,014
Goal 5.1.4/Regional Administration	61,041,217
GRAND TOTAL:	**7,446,796,127**

D. Show your agency's objects of expense for each category of expense listed for your agency in the General Appropriations Act FY 2007-2008. Add columns and rows as necessary.

Please see Attachment V-D. **Click here** to link to the document.

E. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines.

Texas Department of Transportation
Sources of Revenue FY 2006 (Estimated) – MOF Source 2008/09 TxDOT LAR

Source	Amount
General Revenue Fund	$7,651,325
GR Dedicated – Highway Beautification Account 0071	$525,597
Federal Funds 8082 – Federal Reimbursements	$2,976,133,547
State Highway Fund – 0006	$2,732,222,895
Appropriated Receipts	$310,000

Interagency Contracts	$46,957,122
State Highway Fund – Medicaid Match	$20,374,474
State Highway Fund – Workforce Transportation	$6,829,352
Bond Proceeds – Texas Mobility Fund 0365	$1,147,658,290
Bond Proceeds – State Highway Fund 6	$437,546,616
Bond Proceeds – General Obligation Bonds	$17,869,405
Texas Mobility Fund – Debt Service	$52,717,504
TOTAL	**$7,446,796,127**

F. If you receive funds from multiple federal programs, show the types of federal funding sources.

Type of Fund	Federal/ Non-Federal Match Ratio*	Estimated FY 2006 Federal Share**
FHWA/FEMA Disaster	75/25	$14,998,749
Airport Improvement Program	90/10	$42,820,987
Highway Planning and Const	80/20	$2,851,495,152
Motor Carrier Safety Assistance	100/0	$2,579,627
Federal Transit Technical	80/20	$4,450,610
Federal Transit Capital	80/20	$449,773
Public Transportation	50/50	$23,597,102
Capital Assistance Program	80/20	$8,821,189
State Planning and Research	80/20	$700,126
Job Access/Reverse Commute	80/20	$197,967
State and Community Highway	80/20	$22,790,595
Crash Records Information	100/0	$3,231,670
Grand Total:	-	$2,976,133,547

*Many programs have different federal / non-federal ratios dependent upon purpose. The ratio listed is the most prevalent for that particular program.

**Federal share amounts were derived from the FY2006 estimates in the TxDOT FY2008/09 Legislative Appropriation Request.

G. If applicable, provide detailed information on fees collected by your agency.

Please see attachment V-G. **Click here** to link to the document.

VI. Organization

A. Provide an organizational chart that includes major programs and divisions and shows the number of FTEs in each program or division.

Please see attachment VI-A for organizational chart including major programs and divisions. Click here to link to the document. Please see the following table for details on FTEs in each program and division.

B. Fill in the chart below listing field or regional offices

Agency 601: Texas Department of Transportation Exhibit 10: FTEs by Location - FY 2006			
Headquarters, Region, or Field Office	**Location**	**Number of Budgeted FTEs FY 2006***	**Average FTEs - FY 2006**
Abilene	Abilene	361	347.7
Amarillo	Amarillo	405	404.2
Atlanta	Atlanta	358	351.6
Austin	Austin	642	643.2
Beaumont	Beaumont	393	374.1
Brownwood	Brownwood	247	235.7
Bryan	Bryan	371	373.3
Childress	Childress	249	246.3
Corpus Christi	Corpus Christi	438	437.3
Dallas	Dallas	1050	1063.3
El Paso	EL Paso	368	355.5
Ft. Worth	Ft. Worth	732	697.1
Houston	Houston	1552	1506.3
Laredo	Laredo	276	265.9
Lubbock	Lubbock	474	470.7
Lufkin	Lufkin	314	312.5
Odessa	Odessa	332	320.5
Paris	Paris	360	354.9
Pharr	Pharr	388	394.0
San Angelo	San Angelo	288	286.6
San Antonio	San Antonio	760	757.8
Tyler	Tyler	397	380.0
Waco	Waco	401	388.4
Wichita Falls	Wichita Falls	308	310.2
Yoakum	Yoakum	366	360.3
Administration	Austin	30	24.4
Audit	Austin	25	24.4
Aviation	Austin	37	58.1
Bridge	Austin	103	107.9

Business Opportunity Program	Austin	18	13.5
Construction	Austin	266	255.0
Design	Austin	97	87.3
Environmental Affairs	Austin	65	69.5
Finance	Austin	121	108.0
General Services	Austin	270	253.3
Government & Business Enterprises	Austin	30	20.6
Human Resources	Austin	99	94.7
Information Systems	Austin	340	320.6
International Relations	Austin	6	6.0
Maintenance	Austin	114	111.5
Motor Carrier	Austin	126	123.7
Motor Vehicle	Austin	86	82.5
Occupational Safety	Austin	35	35.7
Office of Civil Rights	Austin	20	18.2
Office of General Counsel	Austin	27	24.1
Public Information	Austin	18	17.0
Public Transportation	Austin	180	157.8
Research and Technology	Austin	18	16.8
Right of Way	Austin	50	47.3
Texas Turnpike Authority	Austin	29	25.4
Traffic Operations	Austin	99	98.0
Transportation Planning & Policy	Austin	171	149.6
Travel	Austin	105	102.8
Vehicles Titles and Registration	Austin	406	403.2
Total		14821	14494.0

*Budgeted FTE amounts do not include the legislatively mandated 2 percent FTE reduction [79th Leg. GAA, Article IX § 6.14 (a) (2)] of 296.3 FTEs which would reduce budgeted FTEs to 14524.7.

C. What are your agency's FTE caps for fiscal years 2006 - 2009?

Texas Department of Transportation			
Fiscal Year	**FTEs**	**Summer Hires**	**Total**
2006	14,534.5	300	14,834.5
2007	14,535.8	300	14,835.8
2008	14,999.2	300	15,299.2
2009	14,999.2	300	15,299.2

D. How many temporary or contract employees did your agency have as of August 31, 2006?

The department had a total of 15,359 temporary and contract employees as of August 31, 2006.

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program.

Texas Department of Transportation List of Program FTEs and Expenditures, FY 2006 (Estimated) – Source FY 2008/09 TxDOT LAR		
Program	**FTEs as of August 31, 2006**	**Actual Expenditures**
Goal 1.1.1/Plan, Design, and Manage Transportation Projects	5,379.9	333,254,937
Goal 1.1.2/Contracted Planning and Design of Transportation Projects	0.00	435,536,718
Goal 1.1.3/Optimize Timing of Transportation Right-of-way Acquisition	0.00	523,755,938
Goal 1.1.4/Fund Research and Development to Improve Transportation Operations	16.8	22,089,927
Goal 2.1.1/Transportation Construction. Estimated	0.00	3,028,376,914
Goal 2.1.2/Support and Promote General Aviation	58.9	64,872,800
Goal 3.1.1/Contract for Transportation System Maintenance Program	0	2,016,294,378
Goal 3.1.2/Provide State Transportation System Routine Maintenance/Operations	6,435.2	511,700,795
Goal 3.1.3/Support the Gulf Intracoastal Waterway	2.00	2,344,722
Goal 3.1.4/Maintain and Operate Ferry Systems in Texas	185.2	32,344,790
Goal 4.1.1/Support and Promote Public Transportation	35.8	70,299,322
Goal 4.1.2/Support Medical Transportation	152.4	106,683,719
Goal 4.1.3/Registration and Titling	469.7	59,610,907
Goal 4.1.4/Vehicle Dealer Regulation	82.4	5,354,804
Goal 4.2.1/Traffic Safety	30.8	30,802,638
Goal 4.3.1/Travel Information	104.7	18,025,528
Goal 4.4.1/Automobile Theft Prevention	4.6	12,789,309
Goal 4.5.1/Ensure Rail Safety through Inspection and Public Education	12.1	719,519
Goal 5.5.1/Central Administration	386.5	38,155,735
Goal 5.1.2/Information Resources	250.1	35,181,496
Goal 5.1.3/Other Support Services	336.3	37,560,014
Goal 5.1.4/Regional Administration	794.3	61,041,217
GRAND TOTAL:	**14,676.84**	**7,446,796,127**

VII. Guide to Agency Programs

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Plan It
Location/Division	Statewide
Actual Expenditures, FY 2006	$704,421,930.32
Number of FTEs as of August 31, 2006	594.5

B. What is the objective of this program or function? Describe the major activities performed under this program.

The following programs and functions within our "Plan It" strategy involve planning, design, right-of-way acquisition and transportation research.

The main objective of the Trans-Texas Corridor (TTC) program is to fund, plan, design, construct, maintain, and operate a multimodal transportation corridor. Major activities include engineering, planning, environmental analysis, right of way acquisition, design, operations, and construction contracting of highway, rail and utility facilities. This includes the procurement of both contractors and public-private partnerships (PPPs) to assist and perform these activities.

The Toll Road Traffic and Revenue function conducts extensive and detailed traffic and revenue analyses of toll road projects to determine their value in anticipation of proceeding to the bond market for traditional municipal bond sales, or for equity T&R analysis, which determines potential toll road value in anticipation of proceeding with a privately financed concession.

The Right-of-Way (ROW) function conducted by the Turnpike Authority division (TTA) drives the real estate acquisition and utility relocation efforts on large high priority projects.

The department plays a significant role in the creation of Regional Mobility Authorities (RMAs). TxDOT reviews petitions to create RMAs. If TxDOT finds the petition meets federal requirements, it notifies the petitioner of its findings and conducts one or more public hearings to receive public comment on the proposed RMA. If both the petition and public hearing support creation of the RMA, the Texas Transportation Commission may approve the creation. TxDOT may provide toll equity to RMAs, T&R services, and design/project development services to support the development of projects by the RMA. The commission must approve all additions or withdrawals from the RMA and any dissolution of an RMA.

TxDOT conducts statewide Turnpike Planning and Design Support. This provides for toll schemes, preliminary T&R support, implementation of toll equipment needs and services through other contracts, and environmental support specific to air, noise and environmental justice issues on turnpike projects to TxDOT districts.

The Comprehensive Development Agreement (CDA) program develops programmatic as well as project-specific contracts and procures public-private partnerships (PPPs) for the design, construction, and possible development, funding, maintenance and operation of transportation

facilities. Major activities include authoring contracts; advertising, evaluating, selecting and managing developer teams; negotiating terms & conditions; technical specification writing, and management support of engineering, planning, design, operations, toll collection, and construction activities.

The Economically Disadvantaged Counties Program (EDCP) allows for eligible counties (and cities in those counties) to receive a calculated relief from providing local match requirements for eligible component costs of eligible projects.

The Border Colonias Access Program (BCAP) provides $175 million to eligible counties along the Texas-Mexico border for road and road drainage projects.

TxDOT's rail planning, coordination and management function provides for project planning, coordination, and management of studies, programs, projects, and operations pertaining to freight and passenger rail.

The Statewide Transportation Improvement Program (STIP) is required by federal law. The STIP includes detailed information on federally funded transportation projects for a multi-year period. A Federal Highway Administration (FHWA)/Federal Transit Administration (FTA)-approved STIP is needed for the state and metropolitan planning organizations to receive federal transportation funds.

TxDOT's Urban Area and Statewide Traffic program develops travel-demand models (TDMs) for 22 Metropolitan Planning Organizations (MPOs). This program supports the MPOs and Council of Governments (COGs) in non-attainment, near non-attainment and Early Action Compact (EAC) regions in developing mobile source emissions inventories and reviewing conformity documentation.

The Traffic Data Collection program provides vehicle volume, vehicle classification, axle configurations and loading, and permanent traffic recordings data to meet statewide traffic data obligations. TxDOT's statewide traffic data obligations include providing quality traffic data to a wide variety of end users in support of the Highway Performance Monitoring System (HPMS) annual report, pavement design, vehicle miles traveled (VMT) calculations, seasonal adjustment factors for annual average daily traffic (AADT), vehicle type statistics, planning, air quality analyses, corridor analyses, and travel demand modeling.

The Unified Transportation Program (UTP) is TxDOT's ten-year plan guiding transportation project development and construction. The UTP is the department's master document for identifying the major transportation projects in the state. Each year, the commission approves the UTP, which allows projects to be granted the necessary level of project development authority, from initial planning activities through letting to construction. The UTP includes on- and off-system roads, public transportation, general aviation, rail, and Gulf Intracoastal Waterway projects.

The department's Statewide Planning program is responsible for coordinating the functional classification of roadways in the state, and the project management of route/corridor feasibility studies.

The Aviation Facilities Development Program (AFDP) is responsible for a statewide system of airports providing adequate air transportation to the population and economic activity centers of the state. The AFDP is responsible for establishing, constructing, reconstructing, enlarging or repairing airports.

The agency's Bridge Project Development program provides support and assistance to TxDOT districts in any and all aspects of bridge programming and funding, preliminary planning of bridge structures, coordination with outside agencies and preparation and execution of agreements, and review of PS&E for bridge projects.

TxDOT's Project Design and Letting Management function prepares, reviews, and approves project plans which are let for construction. This function formulates and manages the three-year, 12-month and approved monthly letting schedules; secures and efficiently utilizes all funds available for the transportation program, including federal innovative techniques to provide for effective funding management; manages the development of approved transportation projects in accordance with established priorities; and prepares and oversees development of preliminary and final PS&E ensuring compliance with approved roadway and hydraulic design criteria, specifications, standards, procedures, and state and federal laws. This function also administers the statewide policy for the procurement of architectural, engineering and surveying services (professional services consultants) whose work is used to supplement state forces in the development of project plans.

The department is responsible for the review and coordination of transportation project environmental documents, which include Categorical Exclusions (CE), Environmental Assessments (EA) and Environmental Impact Statements (EIS) in accordance with the National Environmental Policy Act (NEPA). In addition to the primary function of environmental document review, TxDOT develops and implements environmental policies and procedures, conducts environmental investigations, studies and reviews. To assist in complying with over 40 state and federal environmental laws and regulations, TxDOT maintains close working relationships with other state and federal resource agencies.

A U.S. Mexico Joint Working Committee (JWC) cooperates on land transportation planning and the facilitation of efficient, safe, and economical cross border transportation movements. The JWC is comprised of the FHWA, the Mexican Secretariat of Communications and Transportation (SCT), the U.S. Department of State (DOS), the Mexican Secretariat of Foreign Relations (SRE), the 10 border state DOTs, Customs and Border Protection (CBP), the General Service Administration (GSA), Mexican Aduana, INDAABIN (GSA's Mexican counterpart), and Immigration also participate in the meetings.

Right-of-way acquisition not related to toll or turnpike projects acquires right-of-way parcels of land by negotiated deed or through eminent domain, ensures compliance with the Federal Uniform Act and with state laws and regulations, protects private property owners' rights in the right-of-way land acquisition process, processes payments to property owners, cities, and counties for real property interests acquired for highway right-of-way purposes, ensures that the state obtains clear title and accounts for the expenditure of state funds.

The Map and Survey function maintains the statewide right-of-way map files, develops and maintains the Right of Way Manual related to surveying of parcels for acquisition of land for highway construction, assists in matters associated with boundary surveying of state rights of way and provides a representative on Standing Committee on Surveying for TxDOT.

The department's Utility Function oversees the administration of Utility Accommodation Rules,

develops and maintains the Utility Manual, issues utility coordination contracts, and provides relocation assistance and reimbursement payments to utility companies for utility adjustments related to TxDOT highway projects.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The TTC program has successfully procured and contracted a public-private partnership on the first element of the TTC. TxDOT has completed marketing and has a short list of the second element of the TTC (TTC-69). TxDOT has completed and approved a Draft Environmental Impact Statement on TTC-35.

The Toll Road & Traffic Revenue function has contracted for over 800 T&R analyses from Sketch Level through investment grade data collection since 2004.

Right-of-way acquisition related to toll and turnpike projects was instrumental in the successful completion of the Central Texas Turnpike System. A majority of the CTTS project opened 9 months ahead of schedule partly due to the accelerated acquisition of the required right of way. The CTTS program opened 60 miles of new roadway in 5 years.

The department's work with RMAs has assisted in the development of projects around the state. The Central Texas RMA has constructed and begun operation of a toll facility, CR 183A, just outside of Austin. The Northeast Texas RMA (NETRMA) is actively partnering with TxDOT to advance Loop 49, a toll road that will ultimately provide an outer loop to the west of Tyler in Smith County. Turnpike planning and design support provided support services to districts for development of SH 121, Loop 49, and SH 255.

The CDA program has successfully developed contracts, technical specifications, evaluation manuals and all procurement materials for the following projects: SH 130 Segments 1-4, TTC-35, SH 45 SE, SH 121, Statewide Toll Integrator, and SH 130 Segments 5&6. Also, the program has completed a short listing of developer consortiums for the following projects: I-69/TTC, North Tarrant Express / I-820, I-635/LBJ, DFW Connector / SH 114, SH 161, and US 281 / LP 1604.

The Economically Disadvantaged Counties Program (EDCP) has granted adjustments to over 550 projects in economically disadvantaged counties for an estimated savings to local governments of $35,606,774 From January 1, 1998 through FY 2006.

The Texas Transportation Commission has approved $100 million in projects for the Border Colonias Access Program.

Rail Planning Coordination and Management has expended $46 million of the $100 million approved by the commission for projects in the program.

TxDOT works with the Metropolitan Planning Organizations to ensure that federally required documents such as the metropolitan transportation plan, transportation improvement program, and unified plan work program, are prepared and implemented. These documents must be adopted and/or approved in order to receive federal funds in metropolitan planning organization areas. For FY 2006, all documents were adopted and/or approved as needed to obtain the federal funding in the metropolitan planning areas.

AFDP now funds air traffic control towers, terminal buildings, hangars and fuel farms, all of which were previously ineligible for grant funding. In 1990, many of our airports in the system were nothing more than landing strips lacking facilities for passengers and aircraft storage and fueling. TxDOT has installed about 73 Automated Weather Observing Systems since 1997, has funded 39 terminal buildings since 1993, and 9 control towers over the last six years. Recently, with a new federal program, AVN began administering grants for aircraft hangars and fuel farms, two revenue producing facilities that had previously been ineligible for federal funds. These two facilities provide a revenue making mechanism to help airports become more self-sustaining.

Letting Management administers all federal funds received by TxDOT and has always utilized the maximum amount of federal funds with no loss of federal-aid apportionments. Staff reviewed and let to contract 1,423 projects in FY06, nearly twice the number in FY02.

Bridge Project Development has resulted in the removal or rehabilitation of several on-system bridges in FY 2006 as detailed in the following table.

On-system Bridges Removed or Rehabilitated in FY 2006

Condition	HBP Funded	Non-HBP Funded	Total No. of Rem./Rehab. Bridges	Percent of Repl./Rehab. Bridges
Structurally Deficient	59	4	63	31%
Functionally Obsolete	56	13	69	34%
Not Structurally Deficient or Functionally Obsolete	1	71	72	35%
Total	**116**	**88**	**204**	**100%**

The following table shows funding levels and the number of on-system bridges in projects let in FY 2006.

On-system Bridges Removed or Rehabilitated in FY 2006

	HBP-funded Repl./Rehab.		Non-HBP Repl./Rehab.		Non-HBP New-location		Total
		% of Total		% of Total		% of Total	
Funding for Bridge Projects Let	$198.2 M	22%	$290.9 M	33%	$403.0 M	45%	$892.1 M
Number of Bridges in Projects Let	145	23%	254	40%	236	37%	635
Number of Bridge Projects Let	112	35%	117	37%	87	28%	316

The following table shows the condition of off-system bridges that were removed or rehabilitated in FY 2006.

Off-system Bridges Removed or Rehabilitated in FY 2006

Condition	HBP Funded	Non-HBP Funded	Total No. of Rem./Rehab. Bridges	Percent of Repl./Rehab. Bridges
Structurally Deficient	131	1	132	89%
Functionally Obsolete	15	2	17	11%
Not Structurally Deficient or Functionally Obsolete	0	0	0	0%
Total	**146**	**3**	**149**	**100%**

The following table shows funding levels and the number of off-system bridges in projects let in FY 2006.

Off-system Bridges in Projects Let in FY 2006

	HBP-funded		Non-HBP Repl./Rehab.		Non-HBP New-location		Total
		% of Total		% of Total		% of Total	
Funding for Bridge Projects Let	$52.0 M	63%	$3.4 M	4%	$26.9 M	33%	$82.3 M
Number of Bridges in Projects Let	146	90%	4	2%	13	8%	163
Number of Bridge Projects Let	146	92%	4	3%	8	5%	158

In a 2005 accounting of Bridge Design performed for TxDOT, department personnel designed approximately 17 percent of the state's bridge projects at a cost of approximately $4.1 million to the state. The remaining 75 percent of the bridge projects were produced by other TxDOT personnel and consultant engineers at a cost of approximately $47.3 million. In other words, the Bridge Division produced 17 percent of the project plans with 8 percent of the bridge design (Function Code 170) funds expended.

The U.S. Mexico Joint Working Committee (JWC) has seen almost 100 percent attendance and participation by the border states from both the United States and Mexico over the past 12 years. TxDOT representatives attend two JWC meetings per year, one in a U.S. border state and one in a Mexican border state. In addition, several federal agencies that were not initially part of the JWC have been participating regularly in the last several years. These include Customs and Border Protection (CBP), General Services Association (GSA), Mexican Aduanas, Inmigración, and INDAABIN (GSA's Mexican counterpart). A candid and open exchange of information and ideas takes place on a regular basis, and problem solving and information gathering between agencies

is much easier because of the already established relationship. The group has sponsored two border transportation safety conferences and a conference on innovative finance for border infrastructure. Member agencies have conducted several studies, including an initial Binational Transportation Planning study, which has been followed by targeted studies such as bottleneck studies, coordination at the border, economic impacts of border wait times, GIS and more.

For right-of-way acquisition not related to toll and turnpike projects, approximately 2000 parcels of land are acquired for highway projects each year. Nearly 85 percent of these property acquisitions are accomplished by obtaining voluntarily negotiated deeds from the property owners, and only 15 percent are acquired through the use of the eminent domain process.

Lastly, the department surveyed and mapped 2726 parcels and executed 229 utility adjustment agreements in FY06.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Following the recommendations of a comprehensive Senate interim report on the subject, Governor Perry instructed TxDOT to simplify its project planning process. The Transportation Commission appointed a work group to make recommendations, and in October 2003, the UTP was simplified and the Transportation Working Group Report was released. Funding categories were reduced from 34 to 12. Mobility categories were revamped to complete corridor development first in metropolitan areas, then in smaller urban areas and finally in statewide connectivity corridors.

TxDOT has administered the Aviation Facilities Development Program (AFDP) since it was originally funded by the Legislature in 1966, first through the Texas Aeronautics Commission and then since 1992 as part of TxDOT. In 1990, AVN began acting as the agent for local governments for receipt and disbursement of federal funds through the enactment of Transportation Code 21.114, called the Channeling Act. In 1993, AVN was selected as a State Block Grant State by the FAA and assumed FAA's responsibility for administration and oversight of federal grants for general aviation airport development. The Block Grant program took the "channeling" of the federal funds to a new and much higher level, with AVN assuming all granting decisions and responsibilities previously administered by FAA. In 1997, reliever airports voluntarily entered the State Block Grant Program as provided under Transportation Code 22.055.

Since the mid 1990s, the need for outsourcing professional services contracts has continued to increase relative to the annual volume of projects developed for letting. TxDOT outsources all phases of project development, from planning and preliminary engineering through final design, which is preparation for construction (PS&E). TxDOT is dependent on consultants to meet construction letting volumes that exceed $2 billion. From 1997 to 2006, TxDOT's annual construction letting volume ranged from over $2 billion to over $5 billion dollars. The resources required to support this growth are reflected in the use of consultants from the mid 1990s through today. The increasing trend is consistent except for the dip in 2002 and 2003, which was a ripple-effect of cash-flow issues at the time that resulted in a temporary slowdown of consultant usage.

An environmental section was established in the early 1970s within the Highway Design Division in response to growing concern about the impact of projects on the environment. An archeology section created within the Highway Design Division in 1970 was merged with this environmental

section in 1985. This group became the Highway Design Division's Environmental Studies Section and, with more than 60 employees, specialized in cultural resources, archeology, biology, project management and other areas. An independent Environmental Affairs Division was created in January 1992. This 12-member group focused on policy and oversight, including negotiating memoranda of understanding with other state agencies such as the Texas Natural Resource Conservation Commission, the Texas Parks and Wildlife Department, and the Texas Historical Commission/Texas Antiquities Committee. In October 1993, the Highway Design Division's Environmental Studies Section was merged with the Environmental Affairs Division to create the current organization.

When the North American Free Trade Agreement was signed, transportation planners in both the U.S. and Mexico realized that commercial border traffic would likely increase significantly. An MOU was signed and the Joint Working Committee was formed. In fact, in 1995, there were 1.9 million truck crossings from Mexico to the U.S. and in 2006, there were 3.2 million.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

In its current stage, the TTC program is primarily a planning and environmental program that could lead to future construction projects. Both TTC-35 and I-69/TTC have conducted hundreds of public meetings and formal hearings to describe and gather input from the public regarding the proposed concepts. Thousands of comments have been received for both programs and are being responded to and incorporated into their respective environmental documents.

The Toll Road Traffic and Revenue function impacts any transportation project being pursued by the department by providing a bonding capacity that directly impacts available funding for the facility beyond what is traditionally available through the Unified Transportation Program (UTP).

ROW acquisition related to toll and turnpike projects is designed to facilitate construction through the quick delivery of the required right of way and, more importantly, to serve the property owners and displacees who are affected by the project and the need for additional real estate along the project corridor.

The RMA function impacts counties and, in limited instances, some cities that may desire to pursue toll/user fee based transportation projects.

Toll Planning and Design Support impacts any turnpike project being pursued by the department by providing planning and design support services.

The CDA program affects every aspect of funding, development, and delivery of transportation projects.

Each fiscal year, TxDOT determines the counties that can participate in the EDCP program. Eligible counties must have, in comparison to other counties in the state: below average per capita taxable property value, below average per capita income, and above average unemployment.

A county is eligible for the Border Colonias program if it is located in the El Paso, Laredo, or Pharr department districts, and Terrell County, and it has adopted the model rules promulgated by the Texas Water Development Board under Water Code, §16.343. There are 22 counties that are

currently eligible for the program. The counties are: Brewster, Brooks, Cameron, Culberson, Dimmit, Duval, El Paso, Hidalgo, Hudspeth, Jeff Davis, Jim Hogg, Kinney, La Salle, Maverick, Presidio, Starr, Terrell, Val Verde, Webb, Willacy, Zapata, and Zavala. If approved, the county may spend the funds on projects in colonias to pave, repave, and/or improve drainage for roads in the colonias.

The Rail Planning Coordination and Management function affects all 44 freight railroads, 1 existing commuter and 1 interstate passenger railroad operating within Texas; the 25 TxDOT districts; the shippers and passengers that use rail service in the state; the local communities served by rail or planning for rail operations or expansion; and freight and passenger rail mobility interests within the state.

The Urban Area and Statewide Traffic program affects TxDOT districts for traffic analysis for highway design. This program affects MPOs for TDM development.

The Statewide Planning program affects TxDOT and MPOs. The functional classification affects TxDOT districts, MPOs, and local governments. The route/corridor feasibility studies affect selected TxDOT districts, MPOs, and local governments. A MPO is created when the census population exceeds 50,000 in an urbanized area. Texas has 25 metropolitan planning areas.

2000 Census Population

Abilene	107,041
Amarillo	179,312
Austin	901,920
Brownsville	165,776
Bryan-College Station	132,500
Corpus Christi	293,925
Dallas-Fort Worth	4,500,007
El Paso	648,465
Harlingen-San Benito	110,770
Houston-Galveston	4,136,557
Jefferson-Orange-Hardin	253,960
Killeen-Temple	239,913
Laredo	175,586
Longview	78,070
Lubbock	202,225
Mc Allen-Pharr (Hidalgo Co.)	523,144
Midland-Odessa	210,616
San Angelo	87,969
San Antonio	1,327,554
Sherman-Denison	56,168
Texarkana (TX Only)	48,747

Tyler	101,494
Victoria	61,529
Waco	153,198
Wichita Falls	99,396
	14,795,842

The AFDP program affects the 300 airports currently eligible for airport development grants. Airports eligible for federal grants must be included in the National Plan of Integrated Airports System (NPIAS); there are 187 general aviation and reliever airports eligible under the State Block Grant. Airports eligible for state grants must be included in the Texas Airport System Plan. 297 publicly owned airports in the Texas System are eligible for state grant funds; however, by TxDOT's policy, the large commercial service airports (12) are not funded at this time since they generate sufficient revenue for operations and their needs far exceed available state funds.
The Bridge Project development program affects all citizens who travel on the highway system of the state of Texas and the more than 50,000 bridges that are part of that system. In a more focused view, the primary persons affected are TxDOT personnel in the districts and those involved in the planning, design, construction and maintenance of bridges in the state. This program also interacts with other federal agencies, such as the FHWA, U.S. Army Corps of Engineers, Environmental Protection Agency, and U.S. Coast Guard.

For bridges involving railroads, TxDOT works with the affected railroad company to produce an agreement for the construction of railroad overpass and underpass structures. Both public and private utilities are also affected when their utilities must be carried on a state-owned bridge. When historic bridges are being considered for replacement or rehabilitation, TxDOT works with the Texas Historic Commission to develop the most appropriate alternative in keeping with federal historic preservation laws. However, this process is lengthy and extensive, sometimes causing delays in addressing replacement or rehabilitation needs.

In relation to Design and Letting Management, the department works closely with professional services consultants to consider industry concerns when developing policy and in implementing the professional services contract program. There are 1,075 firms and 8,562 individuals that are pre-certified to perform professional services for the department. Our design and letting management function interacts with local governments across the state to ensure consideration and coordination of local transportation needs, and the selection and funding of projects. Local governments develop transportation plans, which feed into a comprehensive statewide plan. Letting Management then secures funding for projects selected from that plan based on priority need and availability of funds. This process works to ensure TxDOT uses all funds available to it.

The JWC affects all the member agencies; the studies, programs and workshops that are carried out by the JWC and member agencies include numerous stakeholders. Studies can include local, state, and federal entities on both sides of the border, and will eventually impact the general traveling public at the border. For example, a current study being done by the El Paso MPO is to test linking modeling software for regional traffic and ports of entry to come up with better modeling for the El Paso/Ciudad Juarez metropolitan area. Improvements in modeling can lead to improvements in transportation infrastructure, which should have a positive impact on the general population.

For ROW acquisition not related to toll or turnpike projects, various tracts of real property must be acquired (purchased voluntarily or acquired through the eminent domain process) to build new highways or expand existing highways. The right-of-way acquisition function affects both private and public real property owners. The majority of real property interests being acquired impact privately owned properties. The acquisition of right-of-way property affects property owners adjacent to state highway right of way. The designation of access to and from the highway system affects the manner in which landowners utilize their properties.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The TTC program is administered by the Turnpike Authority Division (TTA) of TxDOT.

The Traffic and Revenue (T&R) functions are conducted through various professional engineering contracts in accordance with the Transportation Code. It is TxDOT policy to use private sector engineers, architects, and surveyors to assist in accomplishing its activities in providing transportation projects. TxDOT's policy is outlined in the Texas Administration Code and per federal requirements. T&R work is considered a specialty field, as the department has contracted with T&R firms recognized in the financial markets as expert. In these T&R contracts, work is authorized by the TxDOT project manager after the contract is signed. Individual work authorizations are governed by the terms of the contract and cannot exceed the amount of the contract or extend beyond the end of the contract period. The project manager monitors the contract to verify that the provider and TxDOT are in compliance with the terms and conditions of the contract. Items of work, progress, time, payments, and insurance as applicable are monitored, in close coordination with the district in which the project is located and with the MPO and/or RMA as requested by the district. The project manager documents all monitoring activities and retains the documentation in the contract file. At a minimum, the project manager monitors the progress of the work, verifies that the work is progressing in accordance with the approved work schedule and includes the necessary items of work. The manager also checks to see that the provider is carrying out only the work authorized in the contract, and verifies that work is performed in accordance with the terms of the contract. Payments are also monitored to ensure the provider submits invoices at agreed upon times for costs incurred in accordance with the contract. The provider's invoices should be accurate, and the TxDOT project manager should review the invoices to determine that costs were properly incurred (i.e., within the contract period, for authorized tasks, included in the fee schedule, etc.)

TxDOT is authorized to provide for or contribute to the payment of costs of the design, financing, construction, operation, or maintenance of a turnpike project by a Regional Mobility Authority (RMA) on terms agreed to by TxDOT and the RMA as authorized in the Transportation Code and administered through the Texas Administrative Code, which prescribes conditions for the commission’s financing of a toll facility of a public or private entity. The equity may be in the form of a grant or loan for costs of development of a toll facility which may include development costs; preparation of project plans, specifications, and engineer's estimate; construction, including right-of-way acquisition and utility relocation; operation and maintenance; and necessary or incidental administrative, legal, and other expenses.

The Texas Turnpike Authority Division (TTA) also has primary responsibility for the CDA program. During the development of the procurements, TTA works jointly with TxDOT's Office of General Council (OGC), Finance Division, Administration, and, depending on the project districts. This involves joint work with TxDOT's technical matter experts and divisions in the development of programmatic and project specific standards and specifications. This function relies heavily on engineering, financial, economic, and legal advisors before making project and program recommendations. A specific project manager is responsible for a particular procurement. Each project has a working group that meets weekly to discuss and coordinate issues. The working group consists of TxDOT division and district staff and advisors assigned to each project. The program has a Steering Committee Agenda Planning Group that meets weekly to discuss and give guidance to the working groups. This group is made up of senior division and district staff and advisors as needed. TxDOT has a CDA Steering Committee that meets bi-weekly, and more frequently as needed, to make policy decisions and give guidance.

Each fiscal year, the commission approves the counties eligible for the EDCP. Cities in the counties are also eligible for the program. The districts have been delegated the responsibility for reviewing and approving applications submitted by the local government. TPP assists the districts with program questions.

The Governor's Office works with the Texas Public Finance Authority and the department to determine the timing of issuing bonds for the Border Colonias Program. For each call, TPP works with the border districts to review applications submitted by the eligible counties.

The Rail Planning, Coordination and Management Program is supervised by the Multimodal Section Director. Specific studies, projects and issues are assigned to a member of the Rail Planning, Coordination, and Management Program team, with other team members assigned to support positions as needed. Consultant contracts and construction contracts are managed according to specific timelines established within work authorizations and/or contracts.

Under TxDOT's Traffic Data Collection function, contract vendors are directed to collect traffic data at temporary sites identified by TxDOT's Transportation, Planning and Programming Division (TPP). TPP personnel inspect the contractor operations and screen the data for acceptability. On a daily basis, TPP personnel telemetrically collect traffic data from all operational permanent sites, and perform quality control screenings on the data. TPP construction personnel are scheduled to install, maintain, upgrade, repair, and calibrate permanent traffic data collection sites statewide as necessary. TPP personnel coordinate with the respective district for traffic control assistance for roadway infrastructure operations.

The Statewide Planning program is a continuous process. The functional classification of roadways is performed after every census. Route/corridor feasibility studies are performed as directed by the commission.

The TPP division has field representatives that work with the MPOs on their activities and federally required documents. The districts also provide staff to monitor and oversee the metropolitan planning organizations.

The AFDP is administered through the three sections within AVN. These sections provide for the complete administration and oversight of grants issued to local governments for airport development. The grant award process begins with a request for financial assistance from an eligible airport through a letter of interest (LOI). LOIs are evaluated and when justified, are entered into the Capital Improvement Program (CIP). The CIP contains budgeted projects for

three years into the future. As funding becomes available for each year, projects/grants are further refined with the airport sponsor for scope and airport documentation. When the necessary information and budget is available, projects/grants are presented to the Transportation Commission for approval. Following approval, grants are executed and AVN assumes responsibility for design and construction of the project/grant as agent for the airport sponsor. The airport sponsor remits their share of project costs and AVN assumes full management of the project/grant. AVN contracts for professional services for design of the airport improvements, and issues construction contracts for the airport construction. The entire project process from design through construction is administered by AVN. To detail the time line in award and completion of AFDP grants, projects/grants generally enter the CIP in the third most outer year of the three year CIP. The project moves forward each year until the appropriate fiscal year is funded and the grant is approved by the commission; thereby most projects/grants are funded within three years from entry in the CIP. Commission approval of funding through design of the improvement generally takes about one year. Immediately following design, the project begins the construction phase, unless funds are not available. Federal funds are sometimes delayed due to federal legislation, but all projects are funded for construction as appropriate. Construction time of any project is contingent upon the scope of work entailed for the project/grant, but most construction is completed in about a year.

The Bridge Project Development function is divided into two basic parts for administration: project management and plan review. The project management function divides the state and TxDOT's 25 districts into three geographical areas for the purpose of providing support to the districts in all areas of bridge project development. The plan review function coordinates review of the final PS&E for all TxDOT bridge projects.

The majority of bridge projects originate in the districts and requests for assistance are handled on an as-needed basis. The Bridge Division coordinates the projects through their preliminary phase and then assigns, monitors, manages, and ultimately produces PS&E project plans for inclusion in TxDOT's construction letting process. Bridge design policy and guidance is provided to TxDOT districts and bridge consultant engineers through TxDOT's internet website, the biennial Design-Bridge Conference, and the Annual Short Course. The majority of information is provided through the website in the form of design manuals, bridge standards, and TxDOT-provided engineering software.

The Project Design and Letting Management function sets the standards by which all transportation project plans will be developed. The policies and procedures for this are included in the following department manuals: PS&E Preparation, Project Development Process, Access Management, Roadway Design, Hydraulic Design, and Landscape and Aesthetics Design. The majority of project design plans are developed at the TxDOT district level by either TxDOT staff or private sector consultants (whose services are procured by TxDOT district staff). The plans are then reviewed for compliance and approved for letting by Design Division staff. Letting Management secures appropriate state and federal funds based on identified funding categories for each project to be let for construction. A flowchart of the Project Development Process showing these phases is attached.

The Environmental function works directly with the 25 TxDOT Districts, the Texas Turnpike Authority Division, the Aviation Division, the Maintenance Division and the Public Transportation Division to review projects in the planning stage to determine what environmental issues exist for each project and how to address those issues so that projects comply with environmental and public involvement requirements. ENV conducts project environmental studies, reviews and agency coordination, including those involving Comprehensive

Development Agreements, Pass-Through Toll Financing, Statewide Infrastructure Banks, Regional Mobility Authorities, and other alternative funding means

The TxDOT right of way program (not related to toll or turnpike projects) is administered through oversight by the Right of Way Division office in Austin, and through operations management by right of way sections in each of the decentralized 25 district offices as well as by the right of way section in TTA Division.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

TTC Salaries, Overhead and Contracts:

Strategy 101	$ 364,190 (Salaries & Overhead)
Strategy 101	$ 1,722,237 (Contract)
Strategy 740	$ 10,197
Strategy 111	$ 29,971,419 (Contracts)

T&R Salaries, Overhead and Contracts:

Strategy 101	$ 109,257 (Salaries & Overhead)
Strategy 111	$ 2,803,993 (Contracts)

RMA Salaries and Overhead:

Strategy 101 $ 36,419 (Salaries & Overhead)

(RMA project development may be funded through toll equity as described above, as a loan or grant from Fund 6. An RMA may also apply for state and federal grants and loans as appropriate to the project being developed. Administrative costs are usually borne by the County or City.)

Toll Planning and Design support Salaries, Overhead and Contracts:

Strategy 101	$ 145,676 (Salaries & Overhead)
Strategy 111	$ 3,734,996 (Contracts)

CDA Salaries, Overhead and Contracts:

Strategy 101	$ 437,028 (Salaries & Overhead)
Strategy 101	$ 4,633,662 (Contract)
Strategy 111	$ 12,883,708 (Contracts)

EDCP: The department makes up the difference in local match funds that the local governments receive relief from contributing. The department uses monies from Fund 6.

For the Border Colonias Project, the department has spent $35,606,774 in Fund 6 to cover the relief granted to the local governments from FYs 1998-2006.

SPR funds are used for statewide planning and analysis. Federal Aid funding obtained through the Texas State Planning and Research Work Program, 80 percent federal funds and 20 percent state funds.

Federal 1103 funds (administered by FRA) have been used for high-speed rail corridor planning (Gulf Coast HSR Corridor Evaluation = $125,000).

Construction projects have been funded through congressional earmarks (South Orient rehabilitation = $5.5 million) and federal programs (Port of Beaumont – SAFETEA-LU High Priority = $6,488,000 & CMAQ (Proposed) = $8,800,000).

Abandoned rail program and acquisitions have been funded through specific state appropriations (South Orient = $6 million, NETEX = $2.3 million) and TxDOT non-dedicated revenue (Bonham Subdivision = $601,995).

During FY2006, a total of $519,962.01 was expended with Fund 6 funding for the installation of equipment at United States-Mexico commercial border crossings.

The MPOs are primarily funded through federal funds. In FY 2006, $18,465,728 in federal metropolitan planning funds were appropriated to MPOs.

Funding sources for the AFDP under LAR budget strategy 2.1.2 include Federal Airport Improvement Program funds, FY 2006 $57.4 million, Aviation Trust Fund; State Airport Grants, FY 2006 $16 million, Highway Fund 6. Federal funds consist of apportionment and discretionary grant awards. Apportionment funds are determined by a national formula based on land mass and population, which is of benefit to Texas. Discretionary funds are awarded by the FAA for projects competing on a national basis. Local governments and TxDOT submit projects to the FAA for consideration and award of discretionary grants.

Highway Bridge Program (HBP) funds, constituting Category 6 of TxDOT's Unified Transportation Program (UTP), are apportioned to the states from FHWA for the specific purpose of replacing or rehabilitating structurally deficient or functionally obsolete bridges on public highways, roads, and streets. The program applies to deficient existing structures of bridge definition and classification that carry highway vehicular traffic. For FY 06, approximately $250 million in HBP funds were expended to remedy deficient bridges.

Many other funding categories can and are used to fund projects containing new bridges. The following tables list the breakdown in funding for both on-system and off-system bridges for FY 06. The total for all bridge projects let in FY 06 is approximately $ 974.4 million.

Funding for On-system Bridges in Bridge Projects Let in FY 2006

	HBP-funded Repl./Rehab.		Non-HBP Repl./Rehab.		Non-HBP New-location		Total
		% of Total		% of Total		% of Total	
Funding for Bridge Projects Let	$198.2 M	22%	$290.9 M	33%	$403.0 M	45%	$892.1 M

Funding for Off-system Bridges in Projects Let in FY 2006

	HBP-funded		Non-HBP Repl./Rehab.		Non-HBP New-location		Total
		% of Total		% of Total		% of Total	
Funding for Bridge Projects Let	$52.0 M	63%	$3.4 M	4%	$26.9 M	33%	$82.3 M

The design function accounts for approximately 40 percent of the Bridge Division's annual budget for personnel, equipment, and operations, or approximately $4.1 million. Most of this funding is for salaries and approximately 25 percent comes from the General Fund and approximately 75 percent comes from federal reimbursement for engineering using time-charged Control-Section-Job numbers or CSJ's. The division also administers four or more evergreen or on-call work-authorization contracts for bridge design services to supplement our in-house capabilities. These contracts account for approximately $4.9 million annually. The source of funding for the consultant contracts is predominantly state funds.

The operating budget for the Project Design and Letting Management function is $5.2 million a year funded by general revenue funds, TxDOT Strategy 101. TxDOT's Design Division (DES) spent $3.5 million in contracted professional services, funded primarily with state funds through TxDOT Strategy 111.

As manager of the Professional Services Contract program, the division oversaw $490 million in professional services contracts, which amounted to $390 million in actual expenditures in Strategy 111. The source of funding is approximately 8 percent federal, 81percent State Highway Fund, 1 percent City/County/Other and 10 percent Mobility Bond fund. The contracts are administered through all districts and nine divisions.

As administrator of the project letting function, the division let to contract $5.3 billion in transportation projects in 2006. The breakdown for the funding sources is as follows:

Federal Funds = $1.9 billion

State Funds = $3.4 billion ($.95 billion Fund 6; $1.6 billion bonds; $.85 billion Prop. 14 bonds)

Previously, most of the funding for the JWC came from the FHWA. Because of a change in funding under SAFTEA-LU, the funding now comes from the Coordinated Border Infrastructure funding, half of 1 percent of the funding received by the states, as well as a contribution by FHWA.

ROW acquisition not related to toll or turnpike projects is derived from mapping 102 funds (state and federal), LPA's, and advanced funding agreements.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Regional Mobility Authorities (RMAs), Regional Toll Authorities (RTAs), and County Authorities (CTAs) in Texas have been granted authority to develop and enter into CDAs. Their obligating statutes are similar.

TxDOT's Texas Turnpike Authority (TTA) Division provides similar services and functions as TxDOT's TPP Division. The difference is that TPP provides analysis of non-tolled facilities and TTA provides analysis of tolled facilities.

Various cities, counties, Metropolitan Planning Organizations, Regional Planning Organizations and districts collect traffic data for specific purposes, and in small geographic areas. With FHWA oversight, TxDOT provides a comprehensive, integrated, and systematic statewide approach to the collection of traffic data to meet a wide variety of end user needs.

Internal to TxDOT, the Design Division's Field Areas provide very similar services on roadway construction projects that the Bridge Division provides for bridge projects. Externally, the FHWA carries out many of the same type of processes for the very limited number of projects on which they retain federal oversight responsibilities.

There are other TxDOT bridge design engineers operating in similar capacities in the Houston, Dallas, Fort Worth, San Antonio, and El Paso district offices. Most districts have at least one person performing basic bridge design functions. In all, there are approximately 70 TxDOT personnel in predominantly bridge design positions outside the Bridge Division. There are 172 consulting engineering firms that are pre-certified to design bridges for TxDOT.

The Bridge Division's functions differ from other entities in that Bridge is also responsible for the development and maintenance of bridge design policies and guidelines, bridge standards, design specifications, manuals, and design software support. The district personnel and the consulting engineers use all of these to perform design functions and to develop bridge project specifications.

The Federal Highway Administration is responsible for the approval of our environmental documents, however the department's Environmental Division is responsible by for ensuring TxDOT complies with NEPA .

The Maintenance Division shares responsibility for the implementation of Utility Accommodation Rules and for the permitting of utilities.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

ROW acquisition related to toll and turnpike projects performs activities through a consultant work force; oversight of the consultants and the acquisition effort affords the local district right of way section the opportunity to purchase right of way on other district projects.

In relation to the CDA program, the 2007 legislative session (completed in May 2007) further defined the process in statutes to guard against conflicts and duplication. TxDOT is in the process of developing rules and policies to support the new legislation.

The department participates in a Border Colonias interagency work group that meets quarterly. The Secretary of State's office coordinates the meetings.

Passenger rail service in Texas is currently provided at the regional/intercity level by Amtrak and at the commuter level by Dallas Area Rapid Transit (DART) and the Fort Worth Transportation Authority (the "T"). There are also two light rail systems in Texas provided by DART and Houston Metro. Light rail systems are considered local transit, and as such and are referenced in the State Rail Plan due to their connectivity with regional and intercity rail service.

All internal and external entities can and sometimes do submit collected traffic data to TxDOT. All submitted data is evaluated by the same quality control and analysis measure protocols as internally collected data.

Each year the Federal Highway Administration and TxDOT select a list of projects for which FHWA will have environmental oversight through plan review and approval. All other projects will be TxDOT's responsibility. A list of each year's project selection can be found in the current FHWA oversight agreement.

The TxDOT internet website is one of the tools used to avoid duplication of effort. All of the previously listed functions that are unique to the Bridge Division are posted on the website and updated regularly for all users to see. We also use the Design/Bridge Conference and the TxDOT Short Course to present new developments and to educate, inform and interact with other TxDOT personnel and consultants.

When a state or the federal DOT does a border study, a pilot project is usually done to implement the findings at one border crossing. Lessons learned are then shared with the other members. For example, California initiated a bottleneck study with significant successes. Currently both Texas and Arizona are conducting bottleneck studies.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

T&R financial plans are coordinated with the Federal Highway Administration and T&R support services are provided to Regional Mobility Authorities on their initial project at no cost to the RMA and can also be provided to RMAs as toll equity as approved by the Texas Transportation Commission.

ROW acquisition involves work with local governments by providing guidance and manpower for complex or large acquisition projects. The department also coordinates with the Federal Highway Administration on all TxDOT projects.

TxDOT has had extensive involvement with the following RMAs:

Central Texas Regional Mobility Authority (CTRMA) – Travis & Williamson Counties
- Date Created: October 31, 2002
- Initial Project: US 183A bypass of the Cities of Leander and Cedar Park
- Project Status: CDA awarded by RMA, Opens 3/03/07; two toll equity awards by Commission – totaling $77.5M

Alamo Regional Mobility Authority (Formerly Bexar County RMA)
- Date Created: December 18, 2003
- Initial Project(s): US 281 from LP1604 to the Comal County Line & LP 1604 from west of I-10 to east of I-35
- Project Status: Commission approved publish for competing proposals 6/05; Toll Equity $7.5 million approved 10/05 to study SH 16, Wurzbach Pkwy and I-35 Managed Lanes

Grayson County Regional Mobility Authority
- Date Created: April 29, 2004
- Initial Project: SH 289 from Collin County Line to County airfield
- Project Status: Pass-Through analysis completed; Commission authorized negotiations at 6/05 meeting. Possibly being considered as a CDA project

Cameron County Regional Mobility Authority
- Date Created: September 30, 2004
- Initial Project: West Loop from US 77/83 to Palm Blvd
- Project Status: Level 2 toll analysis on West Loop and 2nd Causeway; VE study completed on West Loop and district advancing PS&E. $21.6 M toll equity granted for project development 6/06 for West Loop and 2nd Causeway.

Northeast Texas Regional Mobility Authority (NETRMA) – Smith & Gregg Counties
- Date Created: October 28, 2004
- Additional Counties: Added Cherokee, Harrison, Rusk and Upshur Counties by MO dated 6/06.
- Initial Project: LP 49 and the East Texas Hourglass
- Project Status: District initiated public meetings for the hourglass route and toll concept for LP 49; South Segment open to tolls; level 2 toll feasibility analysis completed 12/04.

Hidalgo County Regional Mobility Authority
- Date Created: November 17, 2005
- Initial Project Proposed: New Location US 281 to US 83 South Truck/Haz-Mat Connector.
- Project Status: District preparing environmental documents

Camino Real Regional Mobility Authority – City of El Paso
- Date Created: June 29, 2006
- Initial Project Proposed: Extension of Outer Loop 375.
- Project Status: Pending MPO concurrence in project

Sulphur River Regional Mobility Authority (SURRMA formerly known as the NETMOB) – Delta, Hopkins, Hunt and Lamar Counties

- Petition Sufficiency: Signature March 1, 2007
- Public Hearing: May 24, 2007
- Commission Meeting: June 28, 2007
- Initial Project Proposed: SH 24 upgrade from 2 to 4 lanes in Delta County as a pass-through finance project.

The department works regularly with Metropolitan Planning Organizations for coordination of rail issues and projects within specific urban areas. We also work with local transit agencies – coordination and assistance with rail transit and commuter rail issues within specific transit agencies service areas. Rural Rail Transportation Districts are an integral component when dealing with rail abandonment and rail development issues within the established boundaries of specific RRTDs and oversight of state and federal funds appropriated to specific districts. Commuter Rail Districts are needed when planning for passenger rail development and oversight of state and federal funds appropriated to specific districts. Freight Rail Districts, Regional Mobility Authorities, the Federal Railroad Administration and the Federal Transit Administration also coordinate with the department regularly on rail planning. The Surface Transportation Board approves of rail acquisitions by the state; approves of leases by the state to operators, approves of new rail construction projects; and coordinates rail issues under the STB's oversight within the state.

The agency's environmental project team works regularly with the Environmental Protection Agency (EPA) who provides oversight for transportation air quality conformity. The Texas Commission on Environmental Quality (TCEQ) is a partner agency for the consultative process required for transportation air quality conformity. The Texas Workforce Commission (TWC) provides data to TxDOT for use in TDM development. There is an agreement in place outlining what TWC will provide and how TxDOT may use the data. The agency also works cooperatively with the MPOs to develop TDMs.

Through the AFDP, the agency acts as agent for local governments in the administration and oversight of contracts in support of the airport development grants. Local governments receive airport development grant awards approved through the Transportation Commission. Then, as agent, AVN issues the planning, design, and construction contracts for the local government, providing full turnkey services to insure state and federal grant compliance. Since most local governments lack trained and adequate staff to fulfill grant compliance requirements, TxDOT provides these services to insure efficiency and effective use of grant funds. Local governments need only remit their local matching funds for grants, and the department provides all necessary services to complete the scope of services for grant awards.

All local governments can participate in the HBP if the bridge is a publicly owned vehicular bridge and meets the eligibility criteria addressed in E. above. This includes, but is not limited to, cities, counties, river authorities, and navigation districts. TxDOT has oversight on most HBP projects. The FHWA has oversight on the remaining HBP projects. TxDOT works closely with the FHWA in administering the HBP. TxDOT works closely with the local governments on projects eligible for the program and enters into advanced funding agreements for each HBP project.

Design works closely with FHWA in managing the state's transportation funds given to it by the federal government. Projects are selected based on priority and need, and then funded by either state or federal funds. FHWA approves projects selected for federal funding and appropriates the

money to be spent. FHWA also approves the department's project development process, and establishes standards and specifications for constructing projects. The function also includes interaction with local governments across the state to ensure consideration and coordination of local transportation needs, and the selection and funding of projects. Local governments develop transportation plans, which feed into a comprehensive statewide plan. The division then secures funding for projects selected from that plan based on priority need and availability of funds. The division also works with local governments to provide guidance for access location determination and procedures for municipalities to be granted permitting authority to the state highway system.

The agency's Environmental program conducts consultations with federally recognized tribes on behalf of FHWA. These consultations identify whether any sites of cultural or historical significance to the tribes would be adversely affected by a proposed federally funded project and resolve such effects when they occur. TxDOT consults with these tribes in order to satisfy requirements for such consultation as specified under the implementing regulations of Section 106 of the National Historic Preservation Act. Consultation on behalf of FHWA is authorized under the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings. Some federally recognized tribes also have programmatic agreements with TxDOT and FHWA that limit consultations to particular classes of projects. The federally recognized tribes are sovereign nations who have a demonstrated interest in Texas, due to historical or cultural ties.

Acting on behalf of FHWA, the department conducts consultations with the Texas State Historic Preservation Officer. These consultations identify whether any sites of historical significance would be adversely affected by a proposed federally-funded project and resolves such effects when they occur. TxDOT consults with the Texas State Historic Preservation Officer in order to satisfy requirements for such consultation as specified under the implementing regulations of Section 106 of the National Historic Preservation Act. State Historic Preservation Officers were established by the National Historic Preservation Act and are identified as a consulting party in its implementing regulations. The Texas State Historic Preservation Officer comments on TxDOT findings during consultation. This consultation process is authorized under the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings. The reviewer for the Texas State Historic Preservation Office also serves as the reviewer for the Texas Historical Commission (see next paragraph); the Texas Historical Commission houses the Texas State Historic Preservation Office.

To comply with the Texas Antiquities Code, TxDOT submits required documentation for review by the Texas Historical Commission. This review identifies whether any sites of historical significance would be adversely affected by a proposed project on state lands and resolves such effects when they occur. The Texas Historic Commission will issue authorization to proceed with construction when its requirements for investigation have been met. The review process occurs under the stipulations of the Memorandum of Understanding between the Texas Historical Commission and TxDOT. The Texas Historic Commission is a state agency created by the Texas Antiquities Code.

The department collaborates with the U.S. Army Corps of Engineers (USACE) to obtain the necessary permits to be in compliance with the Clean Water Act's Section 404 and Section 10 of the Rivers and Harbors Act of 1899. Permits from the USACE ensure that a project is permitted

to work within jurisdictional Waters of the U.S. and special aquatic habitats such as wetlands. The USACE's Nationwide Permit (NWP) program was recently republished, so district environmental staff is in the process of ensuring current projects are in compliance to the changes in the permits.

Department staff collaborates with the U.S. Coast Guard (USCG) when a bridge crossing will occur over a navigable waterway. Section 9 of the Rivers and Harbors Act of 1899 requires that any crossing of a navigable waterway be in compliance with the USCG's regulations for lighting, navigation, and height clearance.

The agency works with the Texas Commission on Environmental Quality (TCEQ) to ensure compliance for several water related regulations. TxDOT projects have to be compliant with the Texas Pollutant Discharge Elimination System (TPDES) to reduce storm water runoff from the construction site. Staff also collaborates with the TCEQ on the Section 401 Water Quality Certification process. When a TxDOT project requires a NWP from the USACE, the project must first receive approval from the TCEQ. The project must ensure that the proper Best Management Practices (BMPs) and a Storm Water Pollution Prevention Plan (SW3P) will be in place to eliminate and reduce the amount of storm water runoff from the construction site, especially into waters of the U.S, and special aquatic habitats such as wetlands. ENV staff also work with the TCEQ when a project is being developed over the Edwards Aquifer recharge zone.

Staff coordinates with Department of State Health Services (DSHS) regarding the DSHS asbestos regulations associated with the demolition and renovation of TxDOT facilities and the settlement of alleged violations of asbestos regulations falling under the DSHS jurisdiction. In addition, the agency works with the Railroad Commission regarding the cleanup of RRC jurisdiction spills on TxDOT ROW and the plugging and abandonment of oil and gas wells on TxDOT right of way.

The department interacts with the Texas General Land Office (GLO) through the Coastal Coordination Council (CCC), to maintain TxDOT compliance with the Texas Coastal Management Program rules and regulations. TxDOT is a member of the Coastal Coordination Council, and therefore has the ability to find its projects consistent with the TCMP. On a quarterly basis, all district projects that are internally reviewed in ENV are checked for consistency with the TCMP. The department works with the districts to ensure compliance and make projects consistent. The projects that are considered consistent are sent to the GLO in a quarterly report for record keeping and possible dissemination to the other members of the CCC for review should a project's consistency be questioned. Environmental Impact Statements (EIS) and TXDOT USACE permits are sent through the CCC and other members are then afforded an opportunity to comment on them or ask any questions.

TxDOT coordination with Texas Parks and Wildlife Department (TPWD) is prescribed by a Memorandum of Understanding and a Memorandum of Agreement. The purpose of these memoranda is to provide a formal mechanism for compliance with the Texas Administrative Code, which mandates that transportation projects undergo a comprehensive environmental review. This mechanism allows TPWD to review TxDOT projects, including those that have the potential to affect natural resources within facilities owned or managed by TPWD. This review promotes the mutually beneficial sharing of information between TxDOT and TPWD and assists TxDOT in making environmentally sound decisions.

All Draft Environmental Impact Statements (DEIS) prepared by TxDOT for federally funded projects are circulated for review to the Environmental Protection Agency after they are approved for circulation by FHWA and TxDOT. FHWA also files the DEIS with the EPA for publication

of a Notice of Availability (NOA) in the Federal Register (FR). The publication of the NOA is the official start of the public comment period required under the Council on Environmental Quality's (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The NOA establishes a comment period of no less than 45 days for comment on the DEIS from the date of publication in the FR. NOAs for Final EIS's are also published in the FR by EPA with a 30-day comment period. Staff coordinates with EPA regarding the development and implementation of spill prevention, control and counter measure plans for TxDOT facilities.

K. If contracted expenditures are made through this program please provide:

- **the amount of those expenditures in fiscal year 2006;**
- **the number of contracts accounting for those expenditures;**
- **a short summary of the general purpose of those contracts overall;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

TTC includes the following:

$1,722,237	Nossaman
$10,423,217	PB - 50-145P5015
$11,262,371	HNTB - 86-345P5010
$349,243	HDR - 86-348P5014
$516,471	HNTB - 86-348P5011
$372,652	RSH - 86-348P5012
$211,357	ARC - 86-348P5013
$403,874	LAN - 86-448P5002
$223,309	PB - 86-448P5003
$249,344	TCB - 86-448P5004
$312,425	PB - 86-448P5005
$267,388	CB - 86-448P5006
$257,406	DAN - 86-448P5007
$180,488	WSA - 86-448P5008
$32,796	S&B - 86-448P5009
$352,692	S&B - 86-448P5010
$785,735	Baker - 86-448P5013
$716,423	PBS&J/CB - 86-448P5014
$365,754	RSH - 86-448P5015
$2,688,474	CZ - 86-5XXDB001

TTC-35

Contract	**Company**
Corridor Engineering Team (CET)	HNTB and HDR

Contract Description:
The CET provides engineering, planning, environmental, technology, project controls, and project management support to TxDOT staff in developing the TTC-35 program,

procurements, facilities, and a Tier One Final Environmental Impact Statement (FEIS), including the environmental analysis of route alternatives, public input, and managing individual Segment Engineers.

Segment Engineers	PBS&J RS&H Michael Baker Jr., Inc.

Contract Description:
The Segment Engineers provide engineering, planning, and environmental support to TxDOT and CET staff.

Comprehensive Development Agreement Cintra Zachry, LP (CZ)
Also known as the CDA, this agreement established the initial scope of work for CZ to produce the Master Development Plan, and it also provides the framework for how TxDOT and CZ could develop specific facility agreements for individual segments of the corridor and/or connecting facilities (such as SH 130 Segments 5 and 6).

I-69/TTC

Contract	**Company**
General Engineering Consultant	PB America

The General Engineering Consultant supports TxDOT's development of a Tier One Final Environmental Impact Statement (FEIS), including the environmental analysis of route alternatives, public input, and managing individual Section Engineers.

Section Engineers:

Segment of Independent Utility (SIU) 1	HDR
SIU 2	TC&B
SIU 3	PBS&J
SIU 4	HNTB
SIU 5	LAN
SIU 6	Dannenbaum
SIU 7	Carter & Burgess
SIU 8	Carter & Burgess
SIU 9	S&B Infrastructure
SIU 10	Wilbur Smith Associates
SIU 11	RS&H
SIU 12	S&B Infrastructure
SIU 13	PB America
SIU 14	Arcadis G&M

The Section Engineers provide engineering, planning, and environmental support to TxDOT and CET staff.

I-69/TTC Procurement Engineer Mobility Partners (C&B, Halcrow, RS&H)
The Procurement Engineer is supporting TxDOT to develop and manage the procurement process for selecting a corridor developer.

Ensuring accountability for funding and performance
The TTA Project Managers and Environmental Manager are assigned exclusively to their respective TTC program. This single program focus, plus being off iced with many of the consultant staff in project offices, provides the TxDOT staff first-hand knowledge of how and when work is being performed. Division administration and contract specialists provide the second level of review to ensure performance.

Contracting Problems
The TTC and CDA programs are carefully scrutinized to guard against conflicts of interest. Because these programs require significant participation by engineering and other consulting firms that are working with private developers, the perceived or real conflicts of those firms also working for the state has become a major issue. TxDOT has developed and accepted as formal rules criteria and procedures to ensure these conflicts are not realized.

Traffic and Revenue studies include the following:

$502,166	URS - 86-1XXP5002
$11,811	WSA - 86-1XXP5003
$164,108	C&M - 86-548P5001
$489,138	URS - 86-548P5002
$196,900	VOL - 86-548P5003
$1,439,870	WSA - 86-548P5004

The contracts conduct extensive and detailed traffic and revenue analyses of toll road projects to determine their value in anticipation of proceeding to the bond market for traditional municipal bond sales with the associated risk profile, or for Equity T&R analysis to determine the toll road value in anticipation of proceeding with a privately financed concession with the associated risk profile. The department ensures accountability for funding and performance by assigning an employee as the contract manager for the individual procurement to review and accept deliverables and provide reviews of invoices. There are also extensive cross checks of the deliverables and invoices through multiple layers of review and finally providing authorization by an office separate from the contract manager's office. These functions are performed as well as contract rate verifications and budget reviews at the Division HQ level. The current process for selection of professional services provides for more traditional needs such as PS&E or individual project feasibilities studies as examples.

Toll Planning and Design Support includes the following:

$2,703,210	PBS&J - 86-448P5012
$1,031,786	CB - 86-448P5016

The contracts include planning, design, and CDA procurement. Support functions are conducted through various professional engineering contracts to provide the necessary services and personnel to develop and implement turnpike facilities. The department ensures accountability for funding and performance by assigning an employee as the contract manager for the individual procurement to review and accept deliverables and provide reviews of invoices. There are also extensive cross checks of the deliverables and invoices through multiple layers of review and finally providing authorization by an office separate from the contract manager's office. These functions are performed as well as contract rate verifications and budget reviews at the Division

HQ level. The current process for selection of professional services provides for more traditional needs such as PS&E or individual project feasibilities studies as examples.

The CDA Program includes the following:

$4,633,662	Nossaman
$2,082,793	CB - 86-448P5001
$ 702,832	CB/HAL - 86-648P5001
$ 12,168	HNTB - 86-648P5002
$ 202,342	URS - 86-648P5003
$ 79,254	HDR - 86-648P5004
$ 120,616	CB/HAL/RSH - 86-648P5006
	DR/KPMG - PO
$9,683,703	B44200520035400

Procurement Engineers – Technical support for development of specifications and engineering reports necessary for procurement of CDA projects

Independent Engineers – Technical auditing and oversight for the design, construction, operations, and maintenance of CDA projects

Equity Based Traffic and Revenue Engineers – Development of traffic forecasts and revenue earning capacity of that traffic on CDA projects

Nossaman (Legal Consultants) – Legal contract development and evaluation

KPMG (Financial Consultants) – Financial and business term analysis and evaluation

Ensuring accountability for funding and performance

The CDA program is closely coordinated with many divisions and offices within TxDOT. This is due to its widespread applicability to many functional areas. As such, many different people perform reviews, checks and balances. The most significant of these checks and balances are the legal reviews. TxDOT's Office of General Counsel and outside legal counsel (Nossaman law firm) are critical players in reviewing, analyzing and supporting the program. These groups provide great internal oversight. The program has gone through significant internal and external audits for accountability. This has come at both state and federal levels. Senate Bill 792 passed into law in June of 2007 created a nine-member legislative study committee to review CDAs and prepare a report due December 1, 2008.

Contracting Problems

The TTC and CDA programs are carefully scrutinized to guard against conflicts of interest. Because these programs require significant participation by engineering and other consulting firms that are working with private developers, the perceived or real conflicts of those firms also working for the state has become a major issue. TxDOT developed and accepted as formal rules criteria and procedures to ensure these conflicts are not realized.

Rail Planning, Coordination, & Management Funds contracted expenditures in FY 2006 from two consultant contracts totaling $782,596.11. A contract with Carter Burgess analyzed freight rail

infrastructure (Waxahachie Industrial Lead); identified specific freight rail project needs; inspection of timber, steel, and concrete rail bridge structures; management and supervision of contracted construction firms during specific construction or rehabilitation projects ($5.5 million South Orient rail line rehabilitation project); and the determination and analysis of possible improvements to existing freight rail infrastructure. Total expenditures in FY 2006 for this contract was $ 286,528.00. A contract with HNTB Corporation was for freight corridor study services in specific regions of the state or specific transportation corridors, and includes an analysis of freight flows, identification of freight bottlenecks, and the determination and analysis of possible improvements or alternatives to improve freight flows. Total expenditures in FY 2006 for this contract were $496,068.11. The Section Project Manager for each work authorization oversees the contractor's activities and accepts, reviews, edits, and approves deliverables. An assigned staff member reviews all invoices for the accuracy of chargeable hours. Staff reviews invoices for correct billing rates and calculations after hours and accuracy are approved, then the contractor invoices for payment after all reviews are complete.

Urban Area & Statewide Travel expended $3,026,649.26 in FY 2006 on contracts. Five interagency contracts and six purchase of service contracts accounted for the expenditures. The purpose of these contracts is to support the branch functions in order to provide transportation analysis for pavement and geometric design, TDMs, travel surveys, conformity analysis and review. To ensure accountability for funding and performance, the contracts are deliverables-based.

Traffic Data Collection expended $2,167,084.42 for five traffic data collection contracts in FY 2006. Contracted employees set up traffic counting equipment and collected 24-hour traffic data from locations statewide. TPP personnel routinely inspect the work of the contractors' employees, and payments are made based on data acceptability verification and contract requirements. There are currently no contractual problems.

Statewide Planning expended $750,000 for a consultant contract for examining the impacts of the North American Free Trade Agreement on the Texas transportation system in FY 2006.

An interagency contract with the Texas Transportation Institute, which assists the department in meeting federal requirements for metropolitan planning and MPOs, expended $422,265 in FY 2006.

There were 330 professional service and construction contracts accounting for $44,781,500 related to the Airport Facilities Development Program. Professional service contracts are utilized for airport planning services, such as airport master plans to provide a 20-year overall development objective for an airport; and for civil engineering design services for development of appropriate airport construction specifications and scope for construction. Construction contracts provide the construction services to build the airport facility. Staff ensures accountability for funding and performance by hands-on management of each contract. Project managers are assigned to review, monitor and oversee each professional services and construction contract. Project managers review design plans and directly oversee the development of the airport design through various phases. Construction managers provide on-site construction review services in addition to a resident project representative who remains on site to ensure day-to-day operations are carried out appropriately. These contracts are specialized for airport development needs and have performed exceptionally well with no instances of contract or contractor failure that were not resolved satisfactorily. Problems with contracts are rare and unusual and services provided through the contracts have been very satisfactory. The department requires contractors to have appropriate experience and our contractors, whether professional service or construction, are a

relatively smaller defined group of companies with great familiarity and experience with the required services.

For Bridge Design, there were nine separate contracts in FY 2006 with expenditures of $3,566,053. These contracts provide on-call bridge design services to supplement the department's in-house production demands. Accountability for funding and performance is ensured by adhering to the Design Division's Contract Management Manual, available guidance and attendance at training under the same program.

The Design Program had seven professional services contracts expending $3.5 million in FY06. The contractors provided support to the division to accomplish the following activities: project management for the planning and construction of ADA Transition Plan curb ramp improvements; value engineering studies; hydraulic design and analysis; engineering analysis and design of at-grade intersections and safety enhancements; and manual revisions and upgrades. Design serves as a check-and-balance at several key steps to ensure from a statewide perspective that the professional services contract process is implemented consistently in accordance with appropriate state and federal laws, departmental policy, and general good contracting practices. Division staff is responsible for reviewing all work authorizations and supplemental work authorizations prior to execution.

The Environmental Program expended $18,724,566 on contracts in FY 2006. The were 62 contracts accounting for expenditures on behalf of Scientific Services and Environmental Engineering Services. Through FIMS, Contract Work Force and Budget Monitoring, the contracts were carefully reviewed and accounted for.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Please see Section IX on Policy Issues for details on suggested statutory changes to enhance the performance and functions of agency programs.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Bridge Design designs about 17% of the total number of bridges in Texas. Staffing is at a critical number to be able to continue this service. The alternative, to hire more consultants, requires more employees to administer contracts. This reduces the time available to design and increase overtime, which leads good designers to leave TxDOT for consulting jobs. If outside forces are relied upon to do the majority of the work, we would cease to be leaders in structural innovation and technological development because our capacity would be too limited. Outsourced designers do not have the same priorities or stake in TxDOT projects that in-house designers do. When a consultant takes on a project, they have to make choices about what's expedient and profitable, often at the expense of things that are vitally important to the owner. No single consultant knows more about the way TxDOT designs, builds and maintains its infrastructure than we do. This is our core function. While assistance from the private sector is needed, we also need to maintain intimate knowledge and experience in every area in order to know whether or not TxDOT and the taxpayers are getting a good value from the services rendered.

Bridge design is a core engineering development function of the Bridge Division. Having in-house structural competence and expertise saves time, money and provides one of the most desirable jobs that the department has to offer. These positions are vital for recruitment and development of highly qualified and motivated graduate engineers. The experience gained in bridge design is essential to developing the skills necessary to gain registration as a professional engineer and to learn a basic understanding of structural design that is then applied in areas like construction administration, materials engineering, and planning and development. There is quite possibly no better place to learn and apply the concepts of structural engineering.

The Statewide Curb Ramp Program retrofits corners on the state highway system in order to improve access to pedestrian facilities at locations not otherwise included in planned TxDOT roadway projects. The ultimate goal of this program is to bring the state's system into compliance with federal and state accessibility requirements. Eight projects were let in FY 06 at a cost of $10.4 million.

In support of landscaping efforts, the division manages several programs. The Green Ribbon Landscape Improvement Program (GRP) allocates funds for landscaping and other enhancement activities to districts that have air quality, non-attainment and near non-attainment counties. The Construction Landscape Program (CLP) addresses new landscape development and establishment projects within each district. The Incentive Awards Program, also known as the Governor's Community Achievement Awards Program (GCAA), is a joint effort between TxDOT and Keep Texas Beautiful (KTB). Through a competition administered by KTB, winning cities receive a landscape development project within their city along state right-of-way. And the Adopt-a-Highway for Landscaping offers a uniform method for the department to enter into agreements with citizens in a community to enhance the highways through their city. The Landscape Cost Sharing Program (CSP) allows the department to negotiate and execute joint landscape development projects through local governments with support from civic associations, private businesses and developers for the aesthetic improvement and maintenance of our state transportation system. The program contracted $1 million in projects in FY 06.

As for the right-of-way acquisition process, the state obtains an "independent appraisal" of a parcel of land. This means the state hires a professional licensed land appraiser to appraise the land and to determine the land's current market value, utilizing recognized appraisal methods and taking into consideration current comparable land sales. A copy of the complete appraisal is delivered to the landowner, and the state makes an initial offer to the landowner. A landowner can make a counter-offer within a certain timeframe. For a counter-offer to be considered, it needs to be supported with a basis, specific justification, and documentation for any increase (such as a landowner's own appraisal, items left out of the state's appraisal, etc.). If the landowner does not accept the final offer or his counter-offer is not accepted by the state, then eminent domain (ED) proceedings are initiated. After the case gets to the Attorney General for ED filing, the landowner is notified of the date and place of the ED commissioners' hearing. In the ED commissioners' hearing, three commissioners hear both the state's appraisal testimony and the landowner's testimony. The commissioners then come up with an award (the value of the property plus any damages supported by the evidence). The state deposits this award amount in the court in order to obtain possession of the property for construction purposes. The landowner can then apply to the court to withdraw the money, if they can show the court that they are the only parties entitled to be paid. Either the state or the landowner can further object to the commissioners' award, and the case then becomes a full court case. A full trial is held under full court rules, where expert witnesses (appraisers, land planners, etc.) testify before a jury and where the jury determines a final value the state is required to pay. If the jury amount is less than the commissioners' award

and if the landowner has withdrawn the award money from the court earlier, the landowner has to pay back the excess to the state.

In addition to the acquisition responsibilities, this function coordinates TxDOT's relocation assistance program. This includes all relocation assistance benefits required by the Federal Highway Administration on federally funded projects as mandated by the "Uniform Relocation and Real Property Acquisition Policies Act of 1970" (49CFR, Part 24). This act requires the state to provide specific benefits to those persons displaced from state-acquired real property as a result of a transportation project. It provides payment over and above the property acquisition amount for the cost of replacement housing, moving expenses, and reestablishment costs for businesses, farms and non-profit organizations.

The right of way acquisition function monitors local agency compliance to federal regulations on federally assisted projects. This insures that the local agencies do not jeopardize financial reimbursement from federal funds as a result of incorrect acquisition and relocation procedures in accordance with 49 CFR, Part 24.The TxDOT right of way program is administered through oversight by the Right of Way Division office in Austin, and through operations management by right of way sections in each of the decentralized 25 district offices, as well as by the right of way section in TTA Division.

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Build it
Location/Division	Statewide
Actual Expenditures, FY 2006	$4,441,919,688.53
Number of FTEs as of August 31, 2006	260

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Build It Program includes highway and bridge construction as well as airport improvements. The functional areas of this program are detailed below.

The federal Highway Bridge Program (HBP) is focused on reducing the number of structurally deficient and functionally obsolete publicly owned vehicular bridges. Eligible bridges are evaluated and programmed for replacement or rehabilitation in order of most-deficient bridges first.

The department maintains in-house expertise related to Technical Field Engineering Support in the areas of bridge construction, maintenance, soil investigations, and bridge repair methodologies to assist districts in addressing or evaluating bridge issues that might arise in the field. This allows TxDOT districts to have full-time access to a staff of experienced structural and geotechnical engineers, as well as specialized technicians, to aid with maintaining and constructing bridges across the state. This expertise is also used to facilitate bridge-related training that is sponsored by the department by the development and presentation of material. This includes technical support for bridge scour activities ensuring that all FHWA directives on

bridge scour are addressed, as well as providing the department with guidelines and methodologies for predicting, evaluating, tracking and monitoring scour at bridges.

The Highway Construction Improvement Program is responsible for developing policies and procedures governing highway improvement construction contracts to develop a transportation system that enhances the quality of life for Texas citizens and increases the competitive position for Texas industry. Major activities associated with this program include: letting (receipt and processing of bids) for highway improvement contracts; development of policies and procedures associated with the administration of highway improvement contracts; and guidance and support associated with contract administration requirements.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

As part of the Highway Bridge Program, the department publishes the biennial "Report on Texas Bridges" that describes the condition of Texas bridges both on the state system and off the state system. In 2001, the Texas Transportation Commission established a goal that 80 percent of Texas bridges would be in "good or better" condition by 2011. TxDOT also established the goal to eliminate structurally deficient on-system bridges. The Report on Texas Bridges, as of September 2006, shows the following progress toward these two goals:

Goal – Make 80 Percent of Texas Bridges in Good or Better Condition by September 2011

FY 2001 – 70% of bridges in good or better condition
FY 2002 – 71% of bridges in good or better condition
FY 2003 – 75% of bridges in good or better condition
FY 2004 – 76% of bridges in good or better condition
FY 2006 – 77% of bridges in good or better condition

Goal – Eliminate Structurally Deficient On-System Bridges

FY 2001 – 763 structurally deficient, on-system bridges
FY 2002 – 693 structurally deficient, on-system bridges
FY 2003 – 645 structurally deficient, on-system bridges
FY 2004 – 565 structurally deficient, on-system bridges
FY 2006 – 483 structurally deficient, on-system bridges

While there are no statistics or measurements that relate directly to the effectiveness and efficiency of Technical Field Engineering Support provided to the districts, this function facilitates and contributes to the districts' significant progress to make 80 percent of Texas bridges in good or better condition by September 2011 and to eliminate structurally deficient on-system bridges.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

In relation to the Highway Bridge Program, initial funding participation requirements for both on- and off-system bridges were 80 percent federal and 20 percent local. However, in 1995, TxDOT initiated a change in participation requirements for off-system bridges to pay half of the local government's share (80 percent federal, 10 percent state, 10 percent local). In January 1998, the Economically Disadvantaged Counties (EDC) Program was established, which allows TxDOT to adjust a county's matching funds requirement after evaluating the local government's ability to meet the requirement. In August 2000, local government participation requirements were revised to allow 100 percent federal/state funding of a TxDOT-programmed "participation-waived project (PWP)" in cases where the local government agrees to perform structural improvement work on other "equivalent-match project (EMP)" deficient bridges with a dollar amount at least equal to their normal 10 percent project match. Also effective in August 2000, when the local government elects to participate in the cost of a TxDOT-programmed bridge instead of being responsible for 10 percent of actual costs, the local government is now responsible for 10 percent of the estimated project costs at the time the agreement with TxDOT is executed. The local government no longer participates in subsequent overruns in costs of program-eligible project items unless it lets and manages the project.

For the Technical Field Engineering Support function related to bridges, two of the many construction support functions provided to the districts are that of structural steel field inspection during construction and paint inspection services for re-coating applications. Texas is one of the few states that allows field welding on bridges and structural steel field inspection, which gives TxDOT greater flexibility during design and construction, and also provides many options for field repairs of damaged steel. Subsurface investigations are conducted using core drilling operations. This provides needed information for the design of new bridges, as well as investigating the soil failures associated with slopes, retaining walls and foundations.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Highway Bridge Program affects all citizens who travel on publicly owned vehicular bridges in the state of Texas. TxDOT has oversight of approximately 50,000 bridges--33,000 on-system and 17,000 off-system. All of these publicly owned vehicular bridges in the state of Texas that have a National Bridge Inspection sufficiency rating of 80 or below and are structurally deficient or functionally obsolete are eligible for the HBP. The department coordinates regularly with FHWA on the program, and when historic bridges are being considered for replacement or rehabilitation, we work with the Texas Historic Commission (THC) and/or the FHWA to develop the most appropriate alternative in keeping with federal historic preservation laws.

The Highway Improvement Contract Program primarily affects the traveling public within the state of Texas; however, the contracting industry is also affected. During FY 2006 (September 1, 2005 through August 31, 2006), there were approximately 2,044 qualified contractors, 9,872 subcontractors, and 1,445 material suppliers.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

In the Highway Bridge Program, all eligible bridges are ranked in order of six priorities, with bridges in the worst structural condition being ranked the highest priority for programming. TxDOT administers the HBP in Texas as follows:

1. Selects bridge projects for funding according to FHWA eligibility criteria.
2. Orders them using Texas Eligible Bridge Selection System (TEBSS) and the following prioritization system:
   Priority 1 – Critically deficient structurally deficient land-locking bridges
   Priority 2 – Remaining critically deficient structurally deficient bridges
   Priority 3 – Structurally deficient land-locking bridges
   Priority 4 – Remaining structurally deficient bridges
   Priority 5 – Functionally obsolete land-locking bridges
   Priority 6 – Remaining functionally obsolete bridges
3. Authorizes the projects using the Unified Transportation Program (UTP).

Eligible bridges are programmed in order of ranking within available funding each year. The program call and development cycle for on- and off-system programs of bridge work begins about 15 months before final approval of the given Unified Transportation Plan (UTP) edition. Included with the program call are bridge listings to assist in the program planning process. The listings are for both on- and off-system bridges extracted from the bridge inspection database. The list includes all bridges in the district that are eligible for the bridge program according to FHWA eligibility criteria and that have not been let to contract construction under the program. The eligible bridges that have already been programmed but not let to contract construction are also identified, along with the appropriate control-section-job and work program numbers.

All activities related to Technical Field Engineering Support for bridges are administered by the Bridge Division. Except for bridge scour and oversight of overweight vehicle approvals, all other activities for these functions are at the discretion and request of the districts. Bridge scour activities are administered as per FHWA directives and are monitored through TxDOT's bridge inspection program, using inspection and database reports.

For the Highway Improvement Contract Program, administrative rules for the administration of the letting portion of the highway improvement contracting program are listed at 43 TAC Chapter 9. The following list depicts processes for the various functions associated with this program:

Services Provided to Districts and Other Divisions
Pavement Design: Review proposed pavement designs, assist in developing rehabilitation strategies, assist in materials selection and suitability decisions
Material Requirements: Develop materials specifications to ensure that materials used in construction and maintenance of transportation infrastructure function for their intended use. We also develop and maintain test procedures used to support materials specifications. We will also conduct the testing required on many products to ensure they comply with the specifications for construction and maintenance of the system.
Standards Review: We review shop drawings for fabricated items like steel and concrete bridge components. We also provide inspection of these materials in the fabrication plant to ensure materials and fabrication requirements are met before the products are shipped to districts for incorporation into a structure.
Plans, Specifications, and Estimates Review: We help review plans and specifications for appropriateness of materials and construction practices selected by design engineers in districts. We also act as a consultant to districts and divisions for materials and work methods.

Estimates Review: We review materials prices and provide guidance on material prices for cost estimates and for cost effectiveness.
Special Provision and Special Specification Review and Development: We develop new specifications for materials and their use, which the standard specification book does not address. We also review and comment on these documents that are developed by districts and other divisions.
Administrative Assistance: Provide assistance to Administration and the Transportation Commission relating to the program.

Please see the chart below for information on the field offices related to this program.

Highway Improvement Contract Program STRUCTURAL FIELD OFFICES

City:	Mailing Address:	Physical Location:	Freight Address:
Austin	Construction Division Structural Field Office 125 E. 11th street Austin, TX 78701-2483	200 E. Riverside Dr. Austin, TX 78704	N/A
Corpus Christi	Construction Division Structural Field Office 1701 S. Padre Island Dr. Corpus Christi, TX 78416	1701 S. Padre Island Dr. Corpus Christi, TX 78416	N/A
El Paso	Construction Division Structural Field Office Materials Section 1430 Joe Battle El Paso, Tx. 79936	1430 Joe Battle El Paso, Tx. 79936	1430 Joe Battle El Paso, Tx. 79936
DFW Area	Construction Division Materials & Pavements Section Field Office 2501 W. Euless Blvd., Bldg. B Euless, TX 76040-6611	2501 W. Euless Blvd., Bldg. B Euless, TX 76040-6611	N/A
Houston	Construction Division Structural Field Office P.O. Box 1386 Houston, TX 77251-1386	8100 Washington Ave. Suite 110 Houston, TX 77007	7721 Washington Ave. Houston, TX 77007-1095
San Angelo	Construction Division Structural Field Office P.O. Box 2039 San Angelo, TX 76902	626 Art Street San Angelo, TX	626 Art Street San Angelo, TX 76903
San Antonio	Construction Division Structural Field Office P.O. Box 29928 San Antonio, TX 78229-0928	4615 N.W. Loop 410 San Antonio, TX 78284	4615 N.W. Loop 410 San Antonio, TX 78284
Victoria	Construction Division Structural Field Office P.O. Box 3281 Victoria, TX 77903-3281	4408 Wren Victoria, TX 77904	4408 Wren Victoria, TX 77904
Waco	Construction Division Structural Field Office 212 Jewell Dr. Waco, TX 76712-6631	212 Jewell Dr. Waco, TX 76712	N/A

CST FLEXIBLE PAVEMENTS FIELD OFFICES

City:	Mailing Address:	Physical Location:	Freight Address:
Chico	Construction Division Flexible Pavements Field Office P.O. Box 787 Chico, TX 76431	N/A	N/A
San Marcos	Construction Division Flexible Pavements Field Office 2940 IH 35 South New Braunfels, TX 78130-7032	2940 IH 35 W. New Braunfels, TX 78130	N/A
Uvalde	Construction Division Flexible Pavements Field Office 6891 RM 1022 Uvalde, Tx 78801	6891 RM 1022 Uvalde, Tx 78801	N/A

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Highway Bridge Program funds, constituting Category 6 of TxDOT's UTP, are apportioned to the states from FHWA for the specific purpose of replacing or rehabilitating structurally deficient or functionally obsolete bridges on public highways, roads, and streets. The program applies to deficient existing structures of bridge definition and classification that carry highway vehicular traffic. For FY 06, approximately $250 million in HBP funds were expended remedying deficient bridges.

Many other funding categories can and are used to fund projects containing new bridges. The following tables list the breakdown in funding for both on-system and off-system bridges for FY 06. The total for all bridge projects let in FY 06 is approximately $ 974.4 million.

Unless associated with a particular TxDOT construction project, funds used for Technical Field Engineering Support for bridges come out of General Revenue funding. If support is connected with a particular TxDOT construction project, then funding comes out of either federal or state construction funding.

Overall funding for the Highway Improvement Contract Program is provided through Fund 6.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

N/A

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Through the Highway Bridge Program, the department works with all local governments on bridge needs if it is a publicly owned vehicular bridge and meets the eligibility criteria. This includes, but is not limited to, cities, counties, river authorities, and navigation districts. TxDOT has oversight on most HBP projects, and the FHWA has oversight on the remaining projects. TxDOT works closely with the FHWA in administering the HBP as well as the local governments on projects eligible for the program and enters into advanced funding agreements for each HBP project. In addition, the department works with the U.S Coast Guard to regulate the construction of bridges and causeways within or across navigable waterways as determined by that agency. The Texas Historical Commission must be notified for work on historic bridges to

allow the State Historic Preservation Officer 30-days to review the final plans, specifications and estimates (PS&E) for all projects involving historic structures. Other agencies involved with work on bridges include the International Boundary and Water Commission and neighboring states along the Texas border to insure the safe and adequate addressing of bridge projects.

The Highway Improvement Contract Program involves regular work with local government entities through other department divisions and districts in the oversight of contracting requirements. TxDOT works closely with FHWA to ensure department compliance with federal regulatory requirements associated with the department's highway improvement program.

K. If contracted expenditures are made through this program please provide:

- **the amount of those expenditures in fiscal year 2006;**
- **the number of contracts accounting for those expenditures;**
- **a short summary of the general purpose of those contracts overall;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

In relation to the Highway Bridge Program, the amount of expenditures made in Advanced Funding Agreements (AFAs) for the HBP in FY 2006 was $110,818,841. In FY 2006, $250,273,696 was let in construction contracts for all HBP projects. There were 206 AFAs executed in FY 2006 and 260 HBP projects (113 on-system, 147 off-system) were let for construction. The purpose of these AFAs is to define the scope of work and responsibilities of the state and the local government and the funding participation for the HBP project. The purpose of the construction contract is to ensure the project is awarded to the best-qualified lowest bidder and the bridges are built in accordance with the plans, specifications and estimates (PS&E). TxDOT reviews the PS&E for bridge projects to ensure they meet the applicable design standards and district offices inspect the project during construction to ensure the bridges are built in accordance with the PS&E.

Eight contracts were utilized at a cost of $750,000 in FY 2006 by the Bridge Division to provide core drilling soil investigation support for the Districts. The purpose of contracts is to obtain soil borings for use in design of bridges and other structures. Accountability for funding and performance is ensured through the review of work performed and results by experienced TxDOT staff geotechnical engineers.

Please refer to the following charts for details on contracts related to the Highway Improvement Contract Program.

Professional Services Contracts	
Expenditures	Strategy 111: $2,639,017.73
Number of Contracts	19
General Purpose Summary	Materials testing and inspection services
Methods used to ensure accountability for funding and performance	A project manager is assigned to monitor each contract's services and payments. Each manager is trained in contract oversight.
Short description of any current contracting problems	N/A

Purchase of Services Contracts	
Expenditures	Strategy 101: $343,282.23 Strategy 111: $721,061.93
Number of Contracts	Strategy 101: 8 Strategy 111: 27
General Purpose Summary	Materials sampling, testing and inspection services; technician certification
Methods used to ensure accountability for funding and performance	A project manager is assigned to monitor each purchase order's services and payments. Each manager is trained in contract oversight.
Short description of any current contracting problems	N/A

Interagency Cooperation Contracts (IACs)	
Expenditures	Strategy 101: $ 27,733.00 Strategy 111: $238,790.83
Number of Contracts	Strategy 101: 1 Strategy 111: 7
General Purpose Summary	Forensic investigations and pavement evaluation
Methods used to ensure accountability for funding and performance	A project manager is assigned to monitor each contract's services and payments. Each manager is trained in contract oversight.
Short description of any current contracting problems	N/A

Interstate Agreements	
Expenditures	Strategy 111: $3,904.51
Number of Contracts	4 (Only 1 contract had expenditures)
General Purpose Summary	Materials sampling and inspection services
Methods used to ensure accountability for funding and performance	A project manager is assigned to monitor each contract's services and payments. Each manager is trained in contract oversight.
Short description of any current contracting problems	N/A

Construction Contracts	
Expenditures	$4,514,710,457.63
Number of Contracts	2,085
General Purpose Summary	Highway improvement contracts for construction and preventive maintenance of the state transportation system.

Methods used to ensure accountability for funding and performance	Standard Specifications Active Project Oversight and Inspection Various Department Manuals Sanctions for Non-Performance Liquidated Damages Incentive /Disincentive Clauses Milestones for Completion Warranties QM QCQA QA Program Inspection Certification
Short description of any current contracting problems	None

Maintenance Contracts	
Expenditures	State Let - $118,995,528.57 Local Let - $132,330,628.56
Number of Contracts	State Let – 297 Local Let – 2,080
General Purpose Summary	Highway improvement contracts for the routine maintenance of the state transportation system; and highway improvement contracts for the construction and maintenance of related building facilities.
Methods used to ensure accountability for funding and performance	Standard Specifications Active Project Oversight and Inspection Various Department Manuals Sanctions for Non-Performance Liquidated Damages
Short description of any current contracting problems	N/A

CDA Contracts	
Expenditures	To be completed by TTA
Number of Contracts	To be completed by TTA
General Purpose Summary	Negotiated contracts with private industry to provide segments of the transportation system.
Methods used to ensure accountability for funding and performance	Active Project Oversight and Inspection
Short description of any current contracting problems	N/A

Locally Let Contracts (i.e. RMAs, RTAs, cities/counties, etc.)	
Expenditures	$21,174,732 (Awarded amount)
Number of Contracts	16
General Purpose Summary	Locally let and administered improvement contracts.
Methods used to ensure accountability for funding and performance	Active Project Oversight and Inspection Local Government Procurement Procedures Manual
Short description of any current contracting problems	N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Please see Section IX on Policy Issues for details on suggested statutory changes to enhance the performance and functions of agency programs.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

For any additional details on the Build It Program, please refer to the agency's website at www.txdot.gov.

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Maintain It
Location/Division	Statewide
Actual Expenditures, FY 2006	$72,001,895.00
Number of FTEs as of August 31, 2006	165

B. What is the objective of this program or function? Describe the major activities performed under this program.

The department's Maintain It Program includes the preservation of roadways, bridges, the Gulf Intracoastal Waterway and ferry systems. Following are some of the major activities under this program.

The Highway Maintenance Program supports the districts, divisions, and the TxDOT Administration in managing the statewide maintenance functions. The objective of this program is to ensure the safety and value of taxpayer investment in our statewide infrastructure. Major activities include a Roadway Assessment Program (TxMAP), Maintenance Contract Program, and an Emergency Operations Program.

The Highway Performance Monitoring function produces an annual report to the FHWA tracking key performance measures for the state's public road system. This assists FHWA in compiling the biennial Conditions and Performance Report to Congress. The objective of this program is to coordinate the HPMS program in accordance with 23 CFR, Part 420. Activities include training district staff involved with data collection, on-site field reviews to validate data, compilation of demographic data for specific transportation data reporting areas, coordination with Public Roadway Network Inventory and other TxDOT divisions on performance measures, and coordination with FHWA staff to remain in compliance with federal reporting requirements.

The Pavement Inspection Program assess the condition of pavements on the state highway system, determines pavement preventive maintenance and rehabilitation needs, and reports pavement conditions to the FHWA. In addition, the program provides support for forensic, research and pavement performance studies.

The Bridge Inspection Program ensures that all publicly owned bridges in the State of Texas are inspected as mandated by the Code of Federal Regulations (CFR). This program is responsible for inventorying and inspecting all publicly owned bridges in the state. As part of this objective, TxDOT oversees the statewide program, develops inspection policies and procedures, and maintains the statewide bridge inspection database. Once a year, as required by federal regulations, the department submits bridge inspection data to FHWA, which is then used to apportion federal highway bridge funding to Texas. At least every two years, each bridge in the state receives a routine safety inspection. Depending upon type and location of the bridges being inspected, some bridges may receive additional special inspections or underwater and fracture critical member inspections.

TxDOT's Rail Safety function is constantly improving the safety of rail operations in Texas through daily inspections of railroad equipment, track, hazardous materials shipments and operating practices. Track inspectors monitor railroad compliance with federal track safety standards, and hazardous materials inspectors have the responsibility for the safe transportation of hazardous materials by rail. In an effort to reduce fatality and multiple injury accidents, the rail program investigates and analyzes rail accidents. Hundreds of complaints received from the general public as well as from state, city and county personnel are investigated and resolved annually related to blocked crossings and train whistle noises among other nuisances. Numerous requests for information are handled relating to railroad operations including quiet zones, private crossings and density and speed of rail traffic. Rail Safety enforces state rules related to structures built over or near a railroad track, and visual obstructions at highway rail grade crossings that have passive warning devices.

The Gulf Intracoastal Waterway (GIWW) function fulfills the non-federal sponsorship requirement of the state for the Texas portion of system. Under the role of the non-federal sponsor, the main objective is to provide the Corps with the lands, easements, rights-of-way, relocations and disposal areas for the continued maintenance of the GIWW. This function also ensures the continued operations of the GIWW by dredging this navigable waterway, minimizing environmental impacts and developing beneficial uses for dredged material whenever practical. In addition, the department coordinates water-transportation-related activities with Texas ports, the U.S. Army Corps of Engineers, environmental interests, and the public. Lastly, the agency participates on state/federal project study teams pertaining to the operation and maintenance of the GIWW; channel improvement projects; and coastal environmental studies, projects, and management activities in relation to this function.

The objective of the department's Litter Prevention Program is to reduce litter on the state's highway system by increasing public awareness of the problem and impact of litter, and by changing public behavior to prevent litter in the future. Between 1979 and 1985, the cost of picking up highway litter increased at a rate of 15 to 20 percent annually. In response to this escalating problem, the Texas Transportation Commission approved Minute Order 82606 in 1985, creating one of the most successful litter prevention programs ever launched. Included are the "Don't Mess with Texas" public awareness campaign, the Adopt-a-Highway program, and a grassroots partnership with Keep Texas Beautiful, Inc.

The Vegetation Management function includes Pest Management, Revegetation, Maintenance of Endangered Species, Pesticide Application Equipment Design, Environmental Support for Maintenance Functions, Training, Erosion Control Program, and the Wildflower Program.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Highway Maintenance Program includes TxMAP, which was initiated in 2000 and has been a useful tool that helps measure highway maintenance conditions statewide. Annually, approximately 4,000 one-mile sections of highway statewide are randomly rated to provide a statewide condition score. TxDOT's Emergency Operations Program has been a very effective function as our services continue to be called upon by the Governor's Office to address and/or oversee critical functions during an emergency, including manning rest areas to assist evacuees, developing / monitoring a statewide fuel availability plan in conjunction with the private sector, and to develop a contra-flow plan for all coastal areas during hurricane evacuations.

On Highway Performance Monitoring, all ad-hoc data requests are tracked in an internal database. Over the past 18 months more than 98 percent of requests have been completed in one day. Over the past 24 months all federal and state reporting deadlines have been met. On-demand web-based reports have been developed over the past year.

Bridge Inspections involves the monthly production of a status report on the condition of bridges in the state and the progress of inspections performed and to be performed. Before the combination of reports and the statewide inspection, the number of overdue inspections would run as high as 1500 a month. After implementation of the program in the late 1990's, the number of overdue inspections usually runs at 10 or less. In addition, this program identifies bridges for replacement and rehabilitation funding. Therefore, along with directed funding, the inspection program plays an important role in prioritizing projects. This program is a key element to the department's progress toward its goals to have 80 percent of Texas bridges in good or better condition by 2011 and to eliminate structurally deficient on-system bridges.

In relation to Rail Safety, the following is a report of 10 years of historical railroad accident data.

1.07 - Ten Year Accident / Incident Overview by Region / State / County

TEXAS IN Federal Railroad Administration REGION 5
SUMMARY BY CALENDAR YEAR (JAN Through MAR)
Run date: Mon, Jun 25, 2007
ALL RAILROADS

Category	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	% Change From Last Year	% Change From 1998	Total For Period
TOTAL ACCIDENTS/INCIDENTS	272	314	302	289	291	248	266	283	289	264	-8.65	-2.94	2,818
---Total fatalities	16	17	16	17	18	17	18	21	23	17	-26.09	6.25	180
---Total nonfatal conditions	162	194	214	144	173	115	138	159	153	176	15.03	8.64	1,628
Employee on duty deaths	.	.	.	.	.	.	.	.	.	.	.	.	.
Nonfatal EOD injuries	104	118	122	104	111	78	90	91	92	102	10.87	-1.92	1,012
Nonfatal EOD illnesses	4	.	2	1	.	1	5	2	3	1	-66.67	-75.00	19
Total employee on duty cases	108	118	124	105	111	79	95	93	95	103	8.42	-4.63	1,031
Cases with days absent from work	73	78	81	69	75	57	68	72	68	76	11.76	4.11	717
Trespasser deaths, not at HRC	4	8	4	7	9	8	12	9	7	8	14.29	100.00	76
Trespasser injuries, not at HRC	21	34	20	23	15	16	21	16	22	18	-18.18	-14.29	206
TRAIN ACCIDENTS	62	56	59	76	80	84	74	92	86	70	-18.60	12.90	739
--- Train accident deaths	.	.	.	.	.	.	.	.	.	.	.	.	.
--- Train accident injuries	2	.	29	1	2	3	2	10	.	1	.	-50.00	50
> Human factor caused	27	21	27	29	29	38	32	38	30	31	3.33	14.81	302
> Track caused	17	23	19	25	32	31	25	32	33	22	-33.33	29.41	259
> Motive power/equipment caused	9	5	9	8	11	2	9	9	2	4	100.00	-55.56	68
> Signal caused, all track types	.	.	1	3	.	.	3	2	4	3	-25.00	.	16
> Signal caused, main line track	.	.	.	.	.	.	.	.	.	.	.	.	.
> Miscellaneous caused	9	7	3	11	8	13	5	11	17	10	-41.18	11.11	94
> Collisions	1	3	6	4	3	5	7	10	3	4	33.33	300.00	46
> *** Collisions on main line track	.	1	.	3	.	1	1	2	.	1	.	.	9
> Derailments	46	40	39	60	67	58	53	65	63	49	-22.22	6.52	540
> Other types, e.g., obstructions	15	13	14	12	10	21	14	17	20	17	-15.00	13.33	153
Accidents with reportable damage > $100K	13	7	12	14	21	17	14	17	10	10	0.00	-23.08	135
*** Percent of total	21	13	20	18	26	20	19	18	12	14	16.67	-33.33	.
> $500K	4	.	.	2	2	2	4	4	2	4	100.00	0.00	24
*** Percent of total	6	.	.	3	3	2	5	4	2	6	200.00	0.00	.
> $1,000,000	.	.	.	1	.	1	2	1	.	2	.	.	7
*** Percent of total	.	.	.	1	.	1	3	1	.	3	.	.	.
Train accidents on main line	19	14	14	21	19	26	18	24	24	18	-25.00	-5.26	197
Accidents on yard track	36	32	38	41	52	44	48	55	53	41	-22.64	13.89	440
HAZMAT RELEASES	.	.	.	1	1	1	1	3	1	.	.	.	8
--- Cars carrying hazmat	242	140	197	192	611	324	234	854	288	404	40.28	66.94	3,486

Category	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	% Change From Last Year	% Change From 1998	Total For Period
--- Hazmat cars damaged/derailed	33	13	11	26	47	40	41	59	69	51	-26.09	54.55	390
--- Cars releasing	.	.	.	1	1	1	6	4	1	.	.	.	14
HIGHWAY-RAIL INCIDENTS	84	93	99	82	70	64	66	71	80	70	-12.50	-16.67	779
--- Highway-rail incidents deaths	11	9	12	10	9	9	5	10	16	9	-43.75	-18.18	100
--- Highway-rail incidents injuries	34	32	41	14	21	19	14	37	35	57	62.86	67.65	304
Incidents at public xings	77	85	84	64	56	58	55	56	71	62	-12.68	-19.48	668
*** Percent of total	92	91	85	78	80	91	83	79	89	89	0.00	-3.26	.
OTHER ACCIDENTS/INCIDENTS 2/	126	165	144	131	141	100	126	120	123	124	0.81	-1.59	1,300
--- Other incidents deaths	5	8	4	7	9	8	13	11	7	8	14.29	60.00	80
--- Other incidents injuries	126	162	144	129	150	93	122	112	118	118	0.00	-6.35	1,274
Passengers kld in train accs or crossing incs	.	.	.	.	.	.	.	.	.	.	.	.	.
Passengers inj in train accs or crossing incs	.	.	17	.	.	.	.	.	.	.	.	.	17
Passengers kld in other incidents	.	.	.	.	.	.	.	.	.	.	.	.	.
Passengers inj in other incidents	1	1	3	2	1	2	3	4	1	1	0.00	0.00	19

2/ Other accidents/incidents are events other than train accidents or crossing incidents that cause physical harm to persons

TOTAL ACCIDENTS IS THE SUM OF TRAIN ACCIDENTS, CROSSING INCIDENTS, AND OTHER ACCIDENTS/INCIDENTS

Other accidents/incidents are events other than train accidents or crossing incidents that cause physical harm to persons

The GIWW is the nation's third busiest inland waterway and the Texas portion handled in 2004 58 percent of the traffic on 33 percent of the overall length of the waterway. It includes dredging activities to maintain the authorized depth of the GIWW, and an average 5 million cubic yards (2003-2006) of sediment per year. There was only one U.S. Coast Guard imposed draft (depth) restriction on the Texas GIWW (2007). Texas ports ranked first in the nation in total waterborne tonnage moved in the United States in 2004.

The Litter Prevention program does not have performance measures as outlined in the department's Legislative Appropriations Request. However, the effectiveness and efficiency of the program is measured on a regular basis by professional research. The campaign has achieved strong results in reducing litter and increasing awareness. According to a 1992 Litter Tracking Study conducted by Decision Analyst, Inc., unaided and aided recall of the Don't Mess with Texas slogan was at 96 percent. Throughout the life of the campaign, recall has remained high as evidenced by the 2005 Attitudes and Behavior Study conducted by Baselice and Associates. This quantitative survey indicates that just about everyone has heard of Don't Mess with Texas (95%), and, of that number, 71 percent of Texans know the correct meaning—that Don't Mess with Texas means don't litter. Support for the campaign remains strong with nine out of 10 Texans wanting to see the campaign continue. In addition to awareness research, the effectiveness of the program is also measured by a Visible Litter Study. A Visible Litter Study was completed in

2001. Beginning in the fall of 2000, NuStats, in cooperation with Tuerff-Davis EnviroMedia (the Don't Mess with Texas contractor) and the Texas Department of Transportation, conducted a litter survey to better understand the amounts and types of litter that are deposited on Texas roadways. The survey involved collecting litter data from 125 research segments across the Lone Star State, each consisting of a 500- or 1,500-foot stretch of TxDOT-maintained roadway.

Through Vegetation Management, pest management has tremendously reduced noxious and invasive weeds, thus leading to reduced amount of mowing cycles and compliance with the health and safety codes. Revegetation has reduced the amount of non-native plants being utilized and has created a new seed market for native plant materials. The Vegetation Management Section trains about 1,800 individuals each year. TxDOT is a leader in the nation in erosion control. Vegetation Management oversees a contract with Texas A&M for the Hydraulics, Sedimentation and Erosion Control Laboratory. The information generated is utilized by the majority of the nation's other DOTs , private industry, cities and counties. It is a pooled-fund project with seven other states contributing to the overall costs of the labs operations. In addition, the information helps drive the specifications and installations in the construction process. Lastly, the Wildflower Program produces a wildflower guide, which provides seed mixes and rates for all areas of the state as well as mowing and herbicide guidelines for the protection and propagation of these species.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Highway Performance Monitoring and reporting began in 1978 to provide data for the federal Highway Performance Monitoring System. The program has made minor adjustments as federal data reporting requirements have changed. Over the last biennium, this program has worked closely with the Roadway Inventory program to develop a "collect once, use many times" model as the federal government is not the only consumer of the reports.

The Pavement Inspection Program began as an in-house effort sampling about 10 percent of the Texas highway system per year in September 1982. This effort became federally mandated in January 1989, expanding to sample 50 percent of the Texas highway system per year in September 1992, then expanding to sample 100 percent of the highway system per year in September 2000. These activities include efforts from all 25 TxDOT districts, contract pavement raters, and calibrated electronic vehicles for measuring pavement ride quality, rutting, skid resistance, and structural strength.

Originally all Bridge Inspections were conducted by TxDOT district personnel. As department staff reductions became more widespread, many districts had to utilize contracted inspection services. As a result, this lead to inconsistencies in inspection reports among the districts as each district developed their own contract requirements. In 1996, the Bridge Division of TxDOT started offering a series of statewide bridge inspection contracts to the districts. This allowed districts to focus on the inspection process and overseeing the work that was being produced by the inspection firms, instead of having to spend time in the contracting process. This centralized contract system also standardized the inspection and reporting requirements across the Department, thus eliminating confusion and uncertainty for the inspection firms. A side benefit of the statewide inspection contracts was a reduction in the number of bridges that were overdue for inspection.

The Texas State Rail Safety Program began in 1983 as part of the Texas Railroad Commission (RRC) and remained there until October 1, 2005. The 79th Legislature moved the program from RRC to the Texas Department of Transportation. The services provided have not changed since inception.

For GIWW, environmental issues associated with water transportation have greatly increased over the last 25 years. Water transportation project developments now include significant environmental features, increasing projects scopes, costs, and timeframes.

The Litter Prevention Program includes the Don't Mess with Texas campaign, which is 21 years old, and in 2006 celebrated its 20th anniversary. However, the objective of the program has never changed. The objective of the department's litter prevention program remains to reduce litter on the state's highway system and to change behavior to prevent litter in the future. But over the years, based on research—focus group marketing research, attitudes and behavior research, and visible litter research—the ways we accomplish that objective have changed. Perhaps the launch of the Don't Mess with Texas website and use of billboards in 1998, the launch of the Don't Mess with Texas Road Tour in 2003, and the use of online banner ads are the best examples. In the early years of the program, radio and television ads were the primary medium used to reach the target audience. But, as the habits of the target audience changed, so did the method of delivery to reach that audience.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Highway Maintenance Program affects the millions of Texans using our highways every day. In 2000, the state's system included 77,133 center line miles and in 2006 that number increased to 79,645. In 2000, 364,792,959 daily vehicle miles traveled on the highways and in 2006 that number increased to 460,570,609. Besides the in-state users of the system, this program also affects the estimated 1,000 new Texans that come to our state every day and all future generations of Texans. The Emergency Operations Program benefits all Texans, especially evacuees during emergencies. In addition, these functions affect the local economies as they provide a safe and efficient transportation system to move people and goods.

The data produced by Highway Performance Monitoring is reported to the United States Congress every two years in the biennial Conditions and Performance Report. It is also used by Congress as input to highway funding apportionment formulae.

The Bridge Inspection Program affects all citizens of the state of Texas by ensuring that all publicly owned bridges are safe for use. Secondary groups affected are government entities that own the bridges, since every bridge inspected is eligible for funding from the Highway Bridge Program administered by the FHWA through TxDOT. This funding is made available to cities, counties and state entities for rehabilitation and replacement of bridges in their inventory that are inspected through the program.

Rail Safety affects all railroads operating in Texas from a regulatory and accident or complaint investigation standpoint. All new inspectors are subject to completion of a Federal Railroad Administration on-the-job training program. Upon completion of training, inspectors receive federal certification in the applicable discipline allowing them to conduct investigative and surveillance activities. The purpose of the railroad safety program is to promote safety in all areas

of railroad operations in order to reduce deaths, injuries and damage to property resulting from railroad accidents. There are three Class I railroad operators in Texas with revenues of $277.7 million or more with 11,342 miles of total track in Texas (including trackage rights). There are 41 Class III railroad operators in Texas with revenues of $40 million and 2,073 miles of total track (including trackage rights).

In relation to GIWW, the Texas water transportation system is crucial to the operations of the nation's petrochemical companies, of which 50 percent are located in Texas.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Highway Maintenance Program supports the 25 districts, divisions and TxDOT Administration. This support may include many diverse activities such as supporting routine maintenance contracts, the state-use program, maintenance management, maintenance budgeting, maintenance agreements, and directing emergency operations. It also provides policies, procedures, guidelines, and funding for maintaining the state's infrastructure and assists the districts in developing operations that will be consistent throughout Texas. Within the Emergency Operations Program, this section is the agency's primary resource for all homeland security issues including the development of statewide procedures and training.

Highway Performance Monitoring maintains general highway network data under the inventory program and provides traffic volume data. The Pavement Inspection Program also provides pavement management data to this program. A statewide data coordinator provides training and support to staff located in each of TxDOT's 25 districts (approximately ¼ FTE per district). The staff collects detailed information on "sample" roadways in their districts and reports the raw data back to the coordinator in Austin who compiles the data into an annual report. The statewide coordinator and local FHWA staff perform periodic field reviews to assess the effectiveness of local data collection efforts.

Following is a description and timeline of the process utilized to administer the Pavement Inspection Program. The timeline is annual, based on State fiscal year (September 1 to August 31). The following example is for FY 2008:
July-August 2007: Train and certify contract pavement raters.
July-September 2007: Repair and calibrate automated equipment (rut and ride).
August 2007: Build FY 2008 database.
September-October 2007: Train and certify equipment operators (rut and ride).
September-December 2007: Rate pavement distress (cracks, potholes, patches, etc.).
September 2007 to March 2008: Measure pavement rutting and ride quality.
September 2007 to August 2008: Repair and calibrate structural strength equipment.
September 2007 to August 2008: Train and certify structural strength operators.
September 2007 to August 2008: Measure pavement structural strength, as needed.
February-May 2008: Repair and calibrate automated equipment (skid).
April-May 2008: Begin analysis of statewide FY 2008 data.
April-June 2008: Train and certify equipment operators (skid).
April-August 2008: Measure pavement skid resistance.
April 2008: Provide values for routine maintenance budget preparation.
May 2008: Report status of statewide pavement condition goal (90 percent "good" or better).
May 2008: Publish "Condition of Texas Pavements" annual report.

June 2008: Provide ride quality measurements for Federal HPMS.
August 2008: Provide values for preventive maintenance and rehab fund allocation.

For the Bridge Inspections, the department administers the functions of the program to the Bridge Division, which then ensures that bridges statewide are inspected to meet required frequencies and procedures. This program also includes all statewide fracture-critical and underwater inspections with in-house staff. In addition to fracture-critical and underwater inspections, this program also provides technical support and guidance, consultant inspection services, management of consultant contracts, submitting inspection data to the FHWA, and oversight of the program from a statewide perspective. The TxDOT district staff lead the routine inspection program. Districts perform the day to-day operation of the routine inspection program by scheduling inspections, receiving inspection reports and data, performing primary quality control on information submitted, transmitting inspection results to local entities (if applicable), and submitting data to the statewide bridge inspection database.

Gulf Intracoastal Waterway (GIWW) staff represents TxDOT and the state in land acquisitions, planning studies, operations and maintenance projects, development of associated environmental projects, and overall GIWW-related coastal management activities. Staff may also support TxDOT district staff on GIWW-related coastal projects. Staff will make recommendations to the Texas Transportation Commission regarding water transportation and related coastal activities. Boards and committees that staff serve on and/or support include the Mission Aransas National Marine Estuarine Research Reserve Advisory Board, Texas Coastal Management Program, Gulf Intracoastal Waterway Advisory Committee, Corps' Interagency Coordination Teams, and Corps' Section 216 GIWW study teams.

The Litter Prevention Program is administered by the department and overseen by the Travel Division. The Adopt-a-Highway program is administered in a decentralized manner in the department's 25 district offices, where each district has a coordinator who works directly with the public—those groups or individuals interested in adopting a stretch of highway. The Travel Division serves as the central coordinating office of the program and assists the district offices with interpretation of policy, coordinating statewide events such as the Don't Mess with Texas Trash-Off, and developing the statewide Adopt-a-Highway database.

Vegetation Management is generally administered directly to the TxDOT districts. Training, research, complaint resolution, and district support is administered in the field, while policy and procedures and additional district support is handled from the office.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Overall funding for the Highway Maintenance Program is provided by Fund 6 general appropriations.

For Highway Performance Monitoring, federal aid funding is obtained through the Texas State Planning and Research Work Program, utilizing 80 percent federal funds and 20 percent state funds for the function.

Overall funding for the Pavement Inspection Program is provided by Fund 6 general appropriations.

In regard to the Bridge Inspection Program, in-house expenses are covered by General Revenue funding. Funding for contracted inspection services is dependent upon the type of inspections that are being performed. If inspections are being performed on state-owned bridges, the funding comes from General Revenue. Inspections that are performed on city- and county-owned bridges are reimbursed out of the federal Highway Bridge Program at 80 percent of the inspection cost. The state is responsible for the remaining 20 percent.

For Rail Safety, federal aid funding is obtained through the Texas State Planning and Research Work Program, utilizing 80 percent federal funds and 20 percent state funds. The TxDOT Rail Safety Program receives 100 percent of its funding to administer the program from an annual fee billed to each railroad operating in Texas.

The GIWW program is funded from non-dedicated revenues in the State Highway Fund 6. The Corps receives federal funding for developing the nation's waterways via the annual Energy and Water Appropriations Bill. These funds are used for dredging, channel improvement, and environmental projects.

The Litter Prevention Program is funded out of Fund 6 Contracted Routine Maintenance, Strategy 144. The FY 2006 expenditures for Don't Mess with Texas were $2,122,984, while the Keep Texas Beautiful expenditures for FY 2006 were $414,984. There is no budget for the Adopt-a-Highway program.

Overall funding for Vegetation Management is provided by Fund 6 general appropriations.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The litter prevention program Keep Texas Beautiful, Inc. (KTB) is a non-profit organization consisting of private citizens, civic groups, communities, industries, schools and government agencies. Its mission is to educate and engage Texans to take responsibility for improving their community environment, with a focus on litter prevention, beautification, and waste reduction. The similarities are that both TxDOT and KTB work on litter prevention. The differences are that TxDOT concentrates on litter prevention efforts on the state-maintained roadways. KTB assists TxDOT in supporting and meeting the objectives of the Statewide Litter Reduction/Prevention Program by taking the message into Texas communities with its affiliate program. Essentially, KTB has become the grassroots arm of the Don't Mess with Texas program.

Rail Safety functions are also provided by the Federal Railroad Administration (FRA) and other divisions of TxDOT. The department's Traffic Operations Division performs similar functions (described in Section I below), but one difference is the benchmark established for accident and complaint investigations. The Texas program is managed by state personnel while FRA inspectors report to federal managers.

For GIWW, the U.S. Army Corps of Engineers leads or is responsible for planning, operations, maintenance, regulatory, and environmental issues associated with commercial navigation and water-based port development. TxDOT is also legislatively authorized to work with ports in much

the same manner as the Corps to address freight flows, intermodal connectivity, and port development projects.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Pavement Inspection Program coordinates with the department's Maintenance Division for TxMAP access and the department's Traffic Operations Division for TxTAP access to assess the state highway system. Congress removed requirements for direct coordination of this program with cities and counties in 1995 with passage of the National Highway System Act. However, TxDOT districts still use pavement management program data to work with local agencies and MPOs on selection of projects. Local agencies still sometimes consider the TxDOT pavement management program to be a template or standard of practice for their own programs.

In relation to Rail Safety, 49 CFR Part 212 states the purpose of state programs is to supplement the federal inspection effort. Routine inspection duplication is avoided through having assigned geographical territories and by frequent communication between federal and state inspectors. Although there are occasions when federal or state inspectors conduct inspections in the same territory, there's minimal duplication of effort. The department's Traffic Operations Division, Railroad Section handles issues related specifically to roadway crossings such as: signals, re-planking, grade separation, relocation and closure. The Rail Safety Program handles all safety issues related to railroads and coordinates as needed with the Traffic Division.

Federal and non-federal responsibilities for the GIWW are detailed in the Sponsorship Resolution of 1983. Responsibilities of TxDOT include providing all lands, easements, rights of way, relocations, and soil disposal areas required for construction and maintenance of the GIWW. A Memorandum of Agreement between the state and Corps was executed in October 2000 regarding participation of TxDOT in Corps projects that make beneficial use of dredged material. TxDOT responsibilities to the Corps and other entities are further detailed in Chapter 51 of the Transportation Code. TxDOT created an interagency advisory committee called the Gulf Intracoastal Waterway Advisory Committee to formulate the state's best interest to assist and coordinate its efforts as the non-federal sponsor. Chapter 55 of the Transportation Code outlines TxDOT's port responsibilities. Within this chapter, the Port Authority Advisory Committee, Port Access Account Fund, and Port Capital Program activities are described.

For the Litter Prevention Program, TxDOT has a contract with Keep Texas Beautiful and funds their litter prevention activities. This contract ensures there is no duplication between litter prevention efforts. This contract (purchase order) is to assist TxDOT in supporting and meeting the objectives of the Statewide Litter Reduction/Prevention Program by administering and promoting the Governor's Community Achievement Awards (GCAA) competition and program; administering and promoting the affiliate state certification program and Keep America Beautiful system affiliation; helping to administer and promote cleanup programs; promoting and administering youth education programs on litter prevention; and supporting TxDOT's other litter prevention and beautification programs through KTB's public information and public affairs, community certification and grassroots volunteer services programs.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Highway Maintenance Program involves work with several units of government at the local, state and federal levels. FHWA provides reimbursement for emergencies and highway research, and FEMA provides reimbursement to the state for emergency expenditures. We coordinate Ferry Operations with the Coast Guard and waterway issues with the Corps of Engineers. We work with the Department of Emergency Management (DEM) on statewide disaster response activities, and the agency deals with DPS on day-to-day state highway system emergencies. For water/wastewater issues on all facilities, the department coordinates with TCEQ, and all railroad issues are coordinated with the Federal Railroad Administration. TxDOT assists with pavement maintenance on park roads with TPWD, as well as overseeing the prison labor program with TDCJ. Lastly, the department provides pavement maintenance assistance for all Department of State Health Services (DSHS) facilities.

Highway Performance Monitoring requires close coordination with FHWA Texas Division staff and coordination with Office of Highway Policy Information staff in Washington, D.C. FHWA establishes program requirements and evaluates performance.

In relation to the Pavement Inspection Program, primary work is with the FHWA in support of their annual Highway Performance Monitoring System (HPMS) program. This program also works closely with cities and regional transportation planning groups to assist in the project selection process.

Bridge Inspections involve direct work with the FHWA every year through the mandated bridge data submission. We must also respond to any directives that are issued by the FHWA concerning the inspection program. In addition, the inspections require department personnel to work directly with local government entities through transmittal of inspection findings and recommendations concerning bridges they own. This direct contact is carried out by the TxDOT districts.

For Rail Safety, the Federal Railroad Administration (FRA) conducts surveillance investigations on the nation's railroads. They are divided into eight regions. Texas is part of Region 5. Region 5 consists of Arkansas, Louisiana, New Mexico, Oklahoma and Texas. The FRA provides much of the "On the Job Training" (OJT) as well as classroom study for Texas inspectors. Approximately 60 percent of travel costs for training are paid for by the FRA. Upon completion of tasks listed in the OJT Field Training Manual, state inspectors receive federal certification, which allows them to conduct surveillance and compliance inspections independently.

The continued maintenance and operations of the GIWW deals with various environmental issues and the protection of the state's natural resources, which are coordinated with National Marine Fisheries, U.S. Fish and Wildlife Department, Environmental Protection Agency, Texas Parks and Wildlife, General Land Office, Texas Railroad Commission, Texas Water Development Board and Texas Commission on Environmental Quality. Expenditures of TxDOT funds for land acquisitions and beneficial uses of GIWW dredged material are coordinated with the public and federal, state, and county government entities. GIWW involvement in port projects have historically involved only roadside access issues, which are coordinated between TxDOT, local MPOs, FHWA, and the ports. For navigation and port facility projects, TxDOT's role has mainly been advisory as the Port Access Account Fund is not capitalized at this time. TxDOT, in conjunction with the Port Authority Advisory Committee, communicates port development issues

to state legislative leaders via the annual Port Capital Program Report.

The Litter Prevention function does work with local units of government through the Keep Texas Beautiful affiliate program. Some of the affiliates are city or county government as opposed to a local non-profit organization. For example, Keep Irving Beautiful and Keep Denton Beautiful are part of the city government, while Keep El Paso Beautiful and Keep Midland Beautiful are local non-profit organizations. TxDOT works with these government entities as KTB programs are implemented. For example, when a local community becomes a certified affiliate, TxDOT installs two signs at major city entrances indicating the city's involvement in the program. Affiliates also participate in the Don't Mess with Texas Trash-Off. TxDOT works with local government when a community wins the Governor's Community Achievement Award. TxDOT provides landscaping funds to the winning community, the community selects the location for the landscaping project on a state-maintained roadway in their area, and TxDOT works with the community on the design and installation of the project.

Vegetation Management activities include coordination with the Texas Department of Agriculture for pesticide licensing and application and control of noxious weeds. The department also works with Texas Parks and Wildlife on endangered species and noxious weeds, as well as with DSHS on mosquito control. The agency works with the United States Forest Service for roadside management and the Boll Weevil Eradication Program for cotton control. We coordinate with numerous universities on research and several cities and counties on vegetation management issues. In addition, seeding efforts are coordinated with USDA Plant Material Centers.

K. If contracted expenditures are made through this program please provide:

- **the amount of those expenditures in fiscal year 2006;**
- **the number of contracts accounting for those expenditures;**
- **a short summary of the general purpose of those contracts overall;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The Highway Maintenance Program let a total of 1,431 local and state maintenance contracts for a total of $316,718,000 in FY 2006. The general purpose of these contracts is to assist our state forces with the routine maintenance of our highway system statewide. Periodic local or statewide audits are used to ensure accountability of our contracting procedures. In some parts of the state, availability of contractors is sometimes a problem, as is the current price escalation we are currently experiencing.

The Pavement Inspection Program utilized one contract in the amount of $1,707,363.49 in FY 2006 to conduct visual distress surveys. A "Notice to Proceed" is issued for each forensics investigation that includes the scope of services to be provided, maximum funding, deliverables, and completion date. An engineer from a TxDOT division or district will use this Notice to Proceed to engage the special skills, equipment, and staff of the Texas Transportation Institute of Texas A&M University to investigate and determine the cause of premature pavement distress. The level of satisfaction from TxDOT engineers using this contract has consistently been very high and the cost very reasonable. This program also utilized 19 Interagency Cooperation Contracts (IACs) totaling $1,627,843.53 in FY 2006 to conduct forensic consulting and pavement evaluations. A sample of the data submitted by the vendor is compared to audit data submitted by the Texas Transportation Institute and district employees. The vendor's data is reviewed for accuracy and completeness by the district coordinator and approved for payment when it has met

the standards set in the contract. The vendor then invoices the contract manager who then approves the invoices for payment.

Through the Bridge Inspection Program, 28 contracts were utilized at a cost of $10,815,324 in FY 2006 to provide statewide routine safety bridge inspections for all publicly owned bridges. Accountability for funding and performance is ensured through the review of work performed and results through Quality Control/Quality Assurance oversight by both district and Bridge Division staffs.

The Litter Prevention Program expended $2,537,967.75 on two contracts in FY 2006. One contract was with Tuerff-Davis EnviroMedia for the Don't Mess with Texas campaign and one contract was with the non-profit organization Keep Texas Beautiful, Inc. The Tuerff-Davis EnviroMedia contract (purchase order) is to provide advertising services for the Litter Prevention Public Education Campaign, which assists TxDOT in meeting the objective of the Statewide Litter Reduction Program by: increasing awareness of and reducing litter on TxDOT right of way and facilities by 5 percent each year, with the ultimate objective to eliminate litter; changing the public's attitude and behavior about littering; and providing information about litter along TxDOT right of way. The Keep Texas Beautiful contract (purchase order) is to assist TxDOT in supporting and meeting the objectives of the Statewide Litter Reduction/Prevention Program by administering and promoting the Governor's Community Achievement Awards (GCAA) competition and program; administering and promoting the affiliate state certification program and Keep America Beautiful (KAB) system affiliation; helping to administer and promote cleanup programs; promoting and administering youth education programs on litter prevention; and supporting TxDOT's other litter prevention and beautification programs through KTB's public information and public affairs, community certification and grassroots volunteer services programs. Contract management for compliance with the terms of the purchase orders is used to ensure accountability for both funding and performance. Plus, Attitudes and Behavior research, Visible Litter Study research, and focus groups are used to measure progress and performance.

Vegetation management utilized one contract in FY 2006 for Hydraulic, Sedimentation, Erosion Control Laboratory purposes expending $325,000. This contract evaluates erosion control materials to ensure products meet TxDOT's minimum sediment loss and vegetation standards. Accountability is ensured by on-site inspections and monitoring monthly expenses.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Please see Section IX on Policy Issues for details on suggested statutory changes to enhance the performance and functions of agency programs.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Nationally, there are 165 rail safety state inspectors, who constitute one-third of the national rail safety inspection force. Texas has the third largest state program with 15 full-time inspector positions. The roles of state and federal safety inspectors are clearly defined and complementary. Rail safety inspectors employed by TxDOT are well-trained safety experts who work closely with the FRA to assure safe rail operations for the benefit of rail passengers, the general public and industry employees.

In relation to GIWW, TxDOT's direct waterway responsibilities are limited to fulfilling the non-federal sponsorship duties as outlined in Transportation Code Chapter 51 for the main channel of the GIWW. Direct responsibility for the state's other waterway and port facilities have been fulfilled in the past by port authorities, navigation districts, and private concerns. This is not true in other states. Various other states have increased their support for water transportation activities, competing for the economic benefits of waterborne commerce. At the same time, federal funding has become increasingly difficult to maintain or obtain.

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Use It
Location/Division	Statewide
Actual Expenditures, FY 2006	$342,448,510.07
Number of FTEs as of August 31, 2006	1003.5

B. What is the objective of this program or function? Describe the major activities performed under this program.

The department's Use It Program includes public transportation initiatives, medical transportation, vehicle titles and registration, vehicle dealer regulation, motor carrier registration, traffic safety, travel information and auto theft prevention. Several functional areas fall under this program as described below.

The Flight Services Section, a support service of Texas state government, is tasked to provide safe, cost-effective and efficient air transportation of state employees in the conduct of executing official state business. In doing so, it provides services in two major functional areas: Aircraft Flight Operations, which provides air transportation for state officials and employees traveling on official state business; and Ground Services, which supplies maintenance and repair services to all state-owned aircraft (excluding the instructional aircraft operated by Texas State Technical college in Waco and Sweetwater and the Texas Forest Service), as well as providing fuel and hangar storage services for all Austin-based state aircraft.

The Border Technology Exchange Program (BTEP) is to promote and sustain the development of a safe and efficient transportation system for an effective and efficient movement of commerce and people within the U.S.-Mexico border region by improving technical skills and knowledge through the exchange of technology and information. The different types of activities conducted to meet the objective include training courses on Value Engineering, demonstration projects, personnel exchanges, workshops, conferences, site/field visits, videotapes and documents, technology transfer centers and maintenance seminars.

The Licensing Section is responsible for licensing new and used vehicle dealers, and new motor vehicle manufacturers, distributors, converters, representatives, lessors, and lease facilitators as required by statute.

The Lemon Law function assists consumers with issues arising from the purchase of faulty vehicles. In FY 2006, the department received 601 written complaints for relief under the Lemon Law and 262 hearings were convened. Consumers received replacement, repurchase or repair of their vehicles, or some other appropriate remedy in about half of the cases heard.

The Motor Vehicle Enforcement Section is responsible for enforcing the provisions of the Occupations Code, Chapter 2301; Transportation Code, Chapter 503; and the Texas Administrative Code, Title 43, Chapter 8, as well as administrative rules governing certain activities of licensees, such as prohibition against false and deceptive advertising, fraudulent sales practices, odometer fraud, and failure to apply for title.

The Federal Transit Administration (FTA) and State Grant Programs administers a number of federal grant programs, as well as state dollars appropriated for transit projects. Policy and overall coordination for the various public transportation grant programs is provided by the department's Public Transportation Division (PTN). Coordination with specific grantees and oversight of grants is provided by district-based public transportation coordinators. The FTA programs include the Planning and Research Grants Program, which provides funds to metropolitan planning organizations (MPO) for transit or highway planning activities. Other grants include the Small Urbanized Grants Program, the Discretionary Capital Grants Program, the Elderly and Disabled Grants Program, the Non-urbanized (Rural) Grants Program, the United We Ride Grants Program, the Job Access and Reverse Commute (JARC) Grants Program and the New Freedom Grants Program. In addition, state funds appropriated by the Texas Legislature are available to small urban and non-urbanized (rural) systems for public transportation related projects. This grant program is administered using the same guidelines as the small urbanized and non-urbanized grant programs respectively as described in the area above this paragraph. There are no matching funds ratios required in this program, except for systems (currently there are four) which have state statutory required matching ratios.

The Texas Medical Transportation Program (MTP) provides transportation services to clients that are deemed eligible under Medicaid and have no other transportation available to access authorized health care services. MTP also provides transportation services to participants in the Children with Special Health Care Needs (CSHCN) and Transportation for Indigent Cancer Patients (TICP) programs. Funding for all MTP programs, including participants in CSHCN and TICP programs and state administrative costs and inter-agency contracts with Health Human and Services Commission (HHSC) and Texas Workforce Commission (TWC) during FY 2006 totaled $106 million. MTP focuses on providing non-emergency transportation services to eligible clients through three call centers where clients call to schedule rides. During FY 2006, MTP scheduled and provided approximately 3.5 million one-way trips. Please note that in accordance with SB 10 from the 80th Legislative Session, this program will be administered by the Health and Human Services Commission no later than September 1, 2008.

The Highway Beautification Act (HBA) function performs the following major activities: manages the HBA program per federal statutes and state rules regulating outdoor advertising along highways within the state, reviews new permit applications, travels across the state to verify that the location described on the permit application is in fact a conforming location, issues approved permits or denies permits, maintains a software program to track legal and illegal outdoor advertising and maintains financial information.

The Bicycle Coordination Program develops rules and plans to enhance the use of the state highway system by bicyclists. Transportation Code Sec. 201.902., specifies the designation of a statewide bicycle coordinator to assist TxDOT in this area. Activities that support this program

include: coordinate Bicycle Advisory Committee recommendations for Texas Bicycle Tourism Trails; provide technical expertise for program call recommendation for the Safe Routes to School program through coordination with the Bicycle Advisory Committee; provide technical expertise concerning bicycle matters to the 25 transportation districts; and conduct a wide variety of tasks and activities such as research project director and technical advisory panel member that assists districts, divisions and the administration with bicycle/pedestrian issues.

The department's Traffic Operations Program involves the things people interact with every day – signs, signals, pavement markings, illumination and highway-rail at-grade crossings. Other functional areas include intelligent transportation systems, roadway illumination and various safety initiatives. This program analyzes and reviews construction plans for traffic operations-related elements; develops and supports Intelligent Transportation Systems; reviews and recommends speed limits for the state highway system; coordinates and develops highway illumination; develops the statewide Texas Traffic Safety Program; analyzes and implements operations-related legislation; administers work zone safety; administers highway-rail at-grade crossing programs; develops, publishes and distributes Texas Manual on Uniform Traffic Control Devices and standard sheets for traffic control devices; evaluates and approves of non-radioactive hazardous materials routes; supports TxDOT radio communications systems; researches and implements new technologies for signs, signals, pavement markings, and other traffic control devices; develops operations-related manuals for districts; assists with emergency planning and homeland security issues; and provides assistance and support to TxDOT districts for all traffic operations related issues.

The objective of the Texas Travel Information Centers (TICs) function is to promote travel to and within Texas, and to assist the traveling public by offering professional information and services while supporting the strategic goals of the department. The TICs provide highway users with a safe place to rest, facilitate economic development through travel information, and provide for the safe movement of people and goods by effectively communicating road conditions. The department oversees the operation of 12 state TICs and is the office of primary responsibility for the Highway Condition Reporting System (HCRS), which provides up-to-date information on construction and weather-related road conditions on the state-maintained system. This also includes the management of the 1-800 road condition and travel information phone line that provides travel information to the public.

The *Texas Highways* magazine encourages recreational travel to and within the State of Texas. It furnishes readers with a variety of positive subject matter about Texas. It interprets scenic, recreational, historical, cultural, and ethnic treasures of the state and preserves the best of Texas heritage. Renowned for its photography, statewide events coverage, travel information, and scenic destination features, the magazine reaches subscribers and newsstand buyers interested in traveling and exploring Texas. Each monthly issue contains high-quality articles, photography, art, design, and materials. It educates, entertains, encourages travel within the state, and tells the Texas story to readers around the world. It is produced for and distributed to paid subscribers, newsstand buyers, TxDOT employees, and elected state officials. U.S. subscriptions to Texas Highways are $19.95 annually; foreign subscriptions are $29.95 annually; and single copies are $3.95. The major activities performed under this program are editorial content development, marketing, subscriber services, and ancillary product development.

The Travel Literature function produces, publishes, and distributes travel literature for the state of Texas including the Texas State Travel Guide, the Texas Official Travel Map, the Texas Accommodations Guide, the Texas Events Calendar, the Texas Public Campgrounds Guide, Wildflowers of Texas, Sites & Sounds: A Texas Music Road Trip, Texas, A Quick Look, Los

Caminos del Rio, the Texas Capitol Complex Guide, the Judge Roy Bean Folder, Plants at the Judge Roy Bean Visitor Center, and Texas Travel Log. It also manages the fulfillment activities for all inquiries for Texas travel information that are received by the public, including the responses generated by advertising placed by the Office of the Governor, Economic Development and Tourism. All the travel literature produced is distributed to the traveling public as well as nationally and internationally.

The Audiovisual Production function provides professional level photographic, video, and audiovisual support services to the department, assists the Texas tourism industry and the general public in producing travel and informational materials by providing access to images in the Photo Library and assists the other state agencies involved in tourism with their request for information and materials pursuant to the memorandum of understanding with the Office of the Governor, Economic Development and Tourism; the Texas Parks and Wildlife Department; the Texas Commission on the Arts; and the Texas Historical Commission. Major activities include the production of video and multimedia materials for presentations both internal and to specific public groups and preparation of audiovisual materials for web use. This function also provides for the production of photographic materials for *Texas Highways* magazine, the Texas State Travel Guide, and related tourism publications, as well as maintaining a current collection of images as well as an archive containing photographic materials highlighting Texas destinations from as far back as the 1950s and photos of this agency's operation dating back to the 1920s.

The Toll Collection function is performed for department toll roads and Regional Mobility Authority (RMA) toll roads. Many startup RMAs do not have sufficient staff and other resources to implement toll collection. TxDOT provides assistance throughout the planning development, implementation, and operation stages of toll collection. We assist with planning, developing, procuring, implementing, operating, and maintaining electronic equipment and open road toll collection systems. Equipment and facilities include toll and communications equipment required to detect, classify, and record vehicle passage, along with related structures such as gantries, conduit, and equipment housings.

The Vehicle Titles and Registration function partners with the state's 254 elected county tax assessor-collectors to provide vehicle registration and titling services. This includes (all FY 2006 numbers) the issuance of 5,954,604 vehicle titles to protect the vehicle assets of Texas vehicle owners, the registration of 20,059,065 vehicles, the manufacturing of 9,117,384 vehicle license plates, the issuance/renewals of 244,325 specialty license plates, and the issuance/renewal of 93,279 personalized license plates. In addition, this function manages 18,389 apportioned registration accounts through the International Registration Plan, maintains the automated database of approximately 40 million active vehicle records for access by law enforcement agencies statewide, and issues 5,902 Salvage Vehicle Dealer and Agent licenses. While maintaining 16 years of title transaction historical records to facilitate production of vehicle title histories in response to law enforcement, legal and miscellaneous requests, this function also awards and manages 32 vehicle anti-theft grant programs used by law enforcement agencies across Texas for the purposes of reducing vehicle theft through the Automobile Theft Prevention Authority (ATPA). ATPA also works closely with officials in Texas and Mexico to stop cross-border vehicle theft. HB 1887 from the 80th Texas Legislative Session added auto burglary prevention to ATPA's responsibilities and changed the name to Automobile Burglary and Theft Prevention Authority (effective September 1, 2007).

The primary mission of the Oversize/Overweight (OS/OW) load permit program is the safe routing and issuance of permits for loads that exceed legal dimensions (width, height, length, weight) that are traveling on the state-maintained road system. In doing so, the objective is to

protect the traveling public, protect the roadway infrastructure and protect the load. These permits are mandated by Texas Transportation Code.

Motor Carrier Operations regulates motor carriers, motor transportation brokers, household goods carriers, towing companies, and vehicle storage facilities to protect the welfare of the public and to ensure fair treatment of consumers. The department is tasked with setting forth policies and procedures for the regulation of motor carriers, household goods carriers, and vehicle storage facilities by providing for insurance limits, the issuance of motor carrier credentials, the licensing of vehicle storage facilities, the filing of non-consent towing fees schedules, consumer protection requirements, audit and record keeping functions, and enforcement. Some of the major activities in this area include motor carrier credentialing, public assistance, investigation and enforcement, towing, household goods movers and vehicle storage facilities (VSFs).

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Flight Services Section conducted an independent audit in May 2007 by Deloitte Consulting, LLP at the request of the Transportation Commission. This audit concluded that Flight Services provides a diverse range of services as well as a viable transportation alternative to Texas state agencies, including: a dedicated fleet of aircraft that allows state agencies and elected officials to reach the geographically diverse regions of Texas not served by commercial airlines; fleet maintenance services for a range of state agencies' aircraft, including fixed wing and helicopters, allowing these agencies to maintain their aircraft with a dedicated repair/maintenance service managed by TxDOT; and a history of providing responsive service to state agencies, with a safety record that exceeds that of typical performance of private charter companies, among several other efficiencies. As flight hours increase, Flight Services cost per hour will decrease further as fixed costs are spread over more hours. This audit concluded that the Flight Services Section does in fact provide on-demand charter flight operations at a cost well below that which is currently charged by the private sector. The ability of the Flight Services Section to respond to charter request and operate under emergency conditions such as natural disasters is not available in the private sector. Flight Services also has a safety record which far exceeds the level of safety provided by airline and charter operations based upon 2006 National Transportation and Safety Board Statistics.

Border Technology Exchange Program (BTEP) holds meetings twice a year with each state for coordination and dissemination of new activities in which each state participates through the Technology Transfer (T^2) Centers. One of the activities that shows the effectiveness and efficiency of this program has been the development of a Value Engineering course/training geared at "Training the Trainer" to not only provide examples of how Value Engineering functions in the U.S., but also teach it to our Mexican counterparts along the border so they can in turn reach more of their own transportation engineers and implement these ideals in Mexico. A five phase course was developed. A total of 300+ engineers were provided the introductory course and a total of three engineers to date have gone through all five phases and are certified to teach in Mexico. Through visits to the states of Nuevo Leon and Chihuahua, we have seen the benefit of the methods used in Texas to the degree that they have begun to use similar materials for their road construction and road maintenance projects. The use of similar guard rails has saved lives. The proper reflective material for road markings, as well as better reflectivity on license plates, has made driving safer in the state of Chihuahua. Engineers from Mexico have visited TxDOT to train on the equipment and resolve issues with the assistance of U.S. engineers

specializing on the use of the equipment. Since BTEP began, the program has trained or been in contact with more than 2,000 Mexican engineers.

The License Section includes 15 license clerks who process new and renewal applications for approximately 2,661 new (franchise) motor vehicle dealers, 296 manufacturers and distributors, 137 converters, 1,689 representatives, 132 lessors, 60 lease facilitators, and 13,819 used (independent) motor vehicle dealers. Licensees are required by statute to renew their license annually. No key performance measures track or measure performance in this area.

For the Lemon Law function, the following key performance measures were noted for FY 2006:
Percent of Motor Vehicle Consumer Complaints Resolved – 75.36 %
Number of Motor Vehicle Consumer Complaints Resolved – 685
Average Number of Weeks for Complaint Resolution – 19.39
In terms of non-key performance measures noted by the Consumer Affairs Section, there were 601 motor vehicle consumer complaints filed and 215 vehicles reacquired under the Lemon Law.

During FY 2006, the Motor Vehicle Enforcement Section: received 4,624 written complaints, 13,360 telephone inquiries; assessed $1,662,350 in civil penalties; and collected $720,000 in civil penalties. Over the years, enforcement mediation efforts have returned $1,873,122 directly to consumers.

The Federal Transit Administration and State Grant Program ensures compliance with state and federal statutes, regulations and policies; and TxDOT's district offices monitor grant awards through various means, including site visits and other venues to assess transit system compliance. Visits by department personnel in Austin are made to the district offices regularly to ensure uniformity of service across the state according to a schedule based on risk analysis and exceptional need, or at least once every five years.

For the Highway Beautification Act, TxDOT processed 11,437 permit renewals, 549 newly issued permits, and 306 cancelled/expired permits in FY06.

When the Bicycle Coordination Program started, TxDOT constructed facilities for bicyclists on a limited basis. Currently the district planners and designers are required to consider both bicycle and pedestrian accommodation on all projects. Since bicycle facilities on the state highway system are frequently wide shoulders that are included during highway construction or reconstruction, they are not "counted" as a statistic or performance measure.

To demonstrate the effectiveness and efficiency of the Traffic Operations Program, we look to the continually decreasing fatality rate in Texas (the number of traffic fatalities per 100 million vehicle miles traveled). The rate decreased from 1.79 in 1994 to 1.48 in 2005. Following are some other statistics worth noting:

Texas: Alcohol-Related Fatalities, 2000-2005

	2000	2005
Percentage of alcohol related fatalities	50%	45%
Fatalities	1,903	1,569

Texas: Percentage Decrease in Fatalities and Collisions at Highway/Rail At-Grade Crossings, 1987-2006

	1987	2006	Percentage Decrease
Collisions	639	337	89.6%
Fatalities	58	43	34.9%

Texas: Safety Belt Compliance Rate, 1995-2006

	1995	2006
Compliance Rate	71.8%	90.4%

For the Travel Information Centers, based on traffic counts the 12 TICs service approximately 7 million highway users annually, with a daily average of more than 1,600 visitors per TIC. The TICs also maintain separate customer service records. During FY 2006, 3.6 million of those highway users had contact with a travel counselor, with a daily average of approximately 833 contacts per TIC. In addition, during FY 2006 the 1-800 number automated attendant answered 327,238 road condition phone calls, and the HCRS website had 278,513 hits on the textual or content site and 126,077 hits on the map site.

The *Texas Highways* magazine sold 3,039,265 copies in FY 2006. A 2004 readership study indicated that 65 percent of the readers traveled to a destination in Texas that was written or advertised about and that 52 percent of the readers had attended an event in Texas they had read about in the magazine. 63 percent used the magazine as their primary source for vacation information, while 77 percent of readers indicated they read the magazine to learn about different Texas cities/towns. 41 percent have subscribed to the magazine for 10 or more years. 51 percent pass their magazine to at least one additional person, and 21 percent pass their magazine to at least two other people. The average reader took 3.6 leisure trips/vacations in Texas, and the average length of the leisure travel was 3.3 days. As of the 4th Quarter of FY 2006, the return on investment from all of the tourism MOU partners has resulted in a return of $25.24 in state tax revenue for every state dollar invested.

The Travel Literature performance measures for FY 2006 included 503,971 consumer travel literature requests filled with an average of 1.6 days to respond to those requests. Overall, 97.66 percent of travel literature fulfillment requests were responded to within three days.

Audiovisual Production has almost completely shifted to digital imaging, recording, and storage from film and videotape over the past 10 years. Equipment and software are enhanced or updated as needed to keep up with changing technologies and customer requirements. Audiovisual Production Section staff attends in-state training and reviews literature to keep up with current technology and emerging trends.

Toll Collection involves Open Road Tolling systems which provide non-stop toll collection without cash, toll booths, or coin machines. These systems were procured at greatly reduced prices, vs. industry standards, by a unique contract which combines procurement, maintenance, and warranty for systems and supporting facilities. Contracted prices are 10 percent below estimates for maintenance, and a full 50 percent below estimates for capital expenses. At the same time, the system is achieving all functional requirements and is performing to the highest industry standards. This has also reduced the normal project by project deployment schedule of 2-3 years, down to 9-11 months. In the first year of operations, over 300,000 accounts were opened

and tags were distributed across 2,400 zip codes in Texas. Customer service response time has been exceptionally good. Average call wait times are consistently below 5 seconds per call. The combination of an effective marketing campaign, along with very effective policies and systems has made the Central Texas Turnpike (CTTP) program a nationally recognized success. Easy availability of TxTag accounts has set a new standard in the industry. Over 75 percent of tolls are paid electronically, versus more typical 30 percent opening rates. Higher levels of electronic toll collection (ETC) penetration result in increased operational efficiencies and higher levels of customer service.

Please see the following accomplishments from Vehicle Titling and Registration services provided in FY 2006: Total revenue collected: $4,296,080,277; General Revenue Fund deposit: $2,874,799,266; State Highway Fund deposit: $953,799,145; revenue retained by counties: $463,761,234; and $3,720,632 in additional registration fees were collected and deposited into miscellaneous funds. In addition to collecting revenue, customer assistance was provided to the motoring public to include 1,873,515 total customer service inquiries; 1,040,604 telephone inquiries; 575,535 walk-in customers; 196,298 pieces of correspondence; and 61,078 email inquiries. We recently developed a strategic planning direction with five customer-centered focus areas, including customer service, communication, revenue enhancement, technology and workforce components.

The Oversize/Overweight services reflect the effectiveness of the permit program through: (1) minimal amount of roadway infrastructure damage caused by OS/OW loads; and (2) sustained levels of safety for the traveling public, in relation to the volume of these OS/OW loads, the efficiency of the permit function for the past three years is reflected in the following table:

Function	FY04	FY05	FY06	Percentage Change (FY06 vs. FY04)
Permits Issued	444,246	478,617	522,638	18%
Fees Collected	$33,300,000	$38,300,000	$43,500,000	31%
Operating Costs	$2,500,000	$2,400,000	$2,700,000	8%
Operating Costs as a Percentage of Fees Collected	7.5%	6.3%	6.2%	-17%

The following table lists quantities of permits issued using MCD's Central Permit (online/internet) System (CPS) versus telephone calls received from permit customers.

Function	FY04	FY05	FY06
Internet Permits Issued	79,566	123,898	236,529
Customer Telephone Calls Received	164,857	173,284	148,189

Annual percentages of permits issued using the online system are: FY04 18 percent, FY05 26 percent, and FY06 45 percent. In addition to the Port of Brownsville, Chambers County, and WASHTO/SASHTO regional permits issued by other states, TxDOT uses a Remote Permitting System (RPS) to extend the capabilities of the Permit Section.

Motor Carrier Operations has an internet online registration system called the Motor Carrier Credentialing System (MCCS). It became available to most customers in 2004 and allows motor carriers and their insurance providers to self-register. Capabilities include updating carrier

information, renewing certificates and licenses, adding and deleting trucks, and printing certificates and cab cards. Since this online system eliminates the majority of paper documents, the Credentialing Unit staff has since been transitioned to work in other section areas. Please see the following chart detailing registrations:

	2005	**2006**
Total motor carriers registered	43,028	46,057
No. of vehicles registered	344,638	365,162
No. of interstate vehicles registered	449,679	557,903
VSFs registered	1,815	1,840
Fees collected	$6,870,019	$7,623,426
Certificates revoked	9,546	11,696

Online Credentialing Usage	**2005**	**2006**
Carriers using online system	19,268	29,877
Percentage of carriers using system	44.78%	64.87%*

*Nearly 65 percent of motor carriers who registered in 2006 used the online credentialing system.

In relation to public assistance, investigations and enforcement, motor carrier operations has responded to several concerns and inquiries as detailed in the following chart: (Acronyms: MC = motor carrier, HHG = household goods, TOW = towing, and VSF = vehicle storage facility)

	FY05	**FY06**
Telephone calls received	119,880	159,805
E-mail received	3,429	3,218

FY05	**MC**	**HHG**	**TOW**	**VSF**	**Total**
Public complaints received	146	384	287	408	1,225
Investigations conducted	155	389	424	424	1,392
Letters of warnings issued	40	54	91	97	282
Administrative penalties assessed	11	59	22	15	107
Revocations	12	0	3	1	16
FY06					
Public complaints received	161	266	359	389	1,175
Investigations conducted	171	268	385	437	1,261
Letters of warnings issued	68	61	136	197	462
Administrative penalties assessed	20	108	44	38	210
Revocations	12	1	0	1	14

HHG Mediations
FY05 = 116
FY06 = 67

Administrative Hearings
FY05 = 40
FY06 = 36

Penalties	Penalties Assessed	Penalties Collected
FY05	$285,800	$31,258
FY06	$257,700	$47,657

As shown above, the agency's goal is to obtain compliance at the lowest level, thus lowering the time and cost associated with obtaining desired results.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

For the Flight Services Section, the State Aircraft Pooling Board (SAPB) originally carried out these functions. TxDOT assumed the duties of the SAPB in FY 2004 under an interagency contract as requested by the Legislature when funding was no longer provided for that agency. In FY 2004, statutory changes were made to move that function to TxDOT permanently. Though the services and functions of the Flight Services Section have not changed, the operational methodology has been significantly modified in order to accommodate safety of flight and cost recovery protocols. These changes have greatly enhanced the overall organizational capacity of the section resulting in increased viability of the operation.

BTEP has assisted FHWA in the development of the Technology Transfer Centers, or T^2 Centers, in each of the Autonomous Universities located in the Mexican border states. The T^2 Centers are entities which fall under BTEP and are the central point within the transportation family in each Mexican state that receives the technological information from the department. These centers are funded by FHWA and guided by BTEP in the development of courses and activities using U.S. technology/ information provided by FHWA, or through the state BTEP. The creation of the T^2 Centers has diminished the confusion and duplication of efforts and has provided a streamlined flow in which the Mexican states manage their centers and ensure the information is passed down to the entity that can best use it. In addition, the T^2 Centers, located within the Autonomous Universities, have assistance in presenting courses from their College of Engineering as the dean is the direct supervisor of the T^2 Center staff.

The Licensing Section staffing resources have remained proportionately the same since the Motor Vehicle Commission was merged with the Texas Department of Transportation, creating the Motor Vehicle Division. In 1995, the used (independent) motor vehicle licensure program was transferred to this division. Staffing ratios have not kept pace with the increasing number of licensees or the legislation requiring increased scrutiny of license applications.

From 1988 through 2005, 19,379 complaints were processed under the Texas Lemon Law. In 1991, the Legislature changed the Lemon Law to benefit more consumers. Leased vehicles and towable recreational vehicles (TRV) are now included in the Lemon Law, and rules have been promulgated to determine a reasonable allowance for use for "Lemon" TRVs.

During the 74th legislative session, the Motor Vehicle Enforcement Section responsibilities were expanded to include regulation of all motor vehicle dealers through the general distinguishing number (GDN) system, previously administered by the Vehicles Titles and Registration Division. All dealer licensing and regulatory functions were centralized and the enforcement program was staffed with personnel whose sole function is to police and administer the provisions of the dealer law, Occupations Code, Chapter 2301, and other rules and regulations pertaining to motor vehicle sales.

For the Federal Transit Administration and State Grant Program, the Texas Legislature established the Texas Mass Transportation Commission in 1969 with a small staff and budget to focus on transit planning activities. In 1974, the Texas Highway Department was designated to manage the federal transit program for elderly persons and persons with disabilities. The two state

agencies merged in 1975 to form the State Department of Highways and Public Transportation. At the same time, the Legislature established the state Public Transportation Fund with appropriations of $15 million per year to match federal grants. The Public Transportation Division (PTN) was established as a separate organizational unit in 1988. When TxDOT was created in 1991, the enabling legislation affirmed that public transportation would continue to be a part of TxDOT's mission.

For the Medical Transportation Program, TxDOT implemented two significant operational changes in June 2006: consolidation of call center functions and new service vendor contracts. Consolidation of the call center functions addressed the imbalance of staffing in certain call centers when compared to the call volume of those call centers. Further, the consolidation enabled TxDOT to merge the administrative function of vendor claims processing. Lastly, the consolidation created new contract management positions to provide better oversight of service providers, liaisons to the communities and clients served, and a regional presence to provide technical assistance where needed. The selection of new service vendor contracts replaced contracts inherited when the program transferred to TxDOT. Those aging contracts, exceeding five years in length, varied as to scope of services provided and involved 52 contracts that were awarded to 48 separate contractors and involved over 300 different rates for the services provided. TxDOT now has a standardized contract with 15 vendors and a simplified rate structure of two rates per contract. As mentioned previously, this function will be administered by the Health and Human Services Commission no later than September 1, 2008 in accordance with SB 10 from the 80th Legislative Session.

The bicycle coordinator has worked closely with both the Transportation Enhancement Program managers and the Safe Routes to School Program managers. The bicycle coordinator reviewed and analyzed the proposed projects with bicycle and pedestrian elements for technical and financial feasibility. The Bicycle Advisory Committee also reviews and ranks projects proposed under the Safe Routes to School Program.

Traffic Operations functions were consolidated into a single administrative unit in 1993. This allowed a more comprehensive approach to traffic operations and allowed for greater coordination of this function. Senate Bill 766, 80th Legislature, mandated that the crash records function would transfer from the Texas Department of Public Safety to TxDOT. Crash Records will become part of Traffic Operations on October 1, 2007 adding approximately 86 FTEs to the division and approximately $3.1 million to the annual operating budget.

The Travel Information Centers are in their 71st year of operation. Minute Order 12362, dated April 28, 1936, authorized the State Highway Engineer to construct and operate 14 points of entry, referred to as information houses, to welcome visitors to the Texas Centennial Celebration at the state fairgrounds in Dallas. This service was to begin with the Centennial's inaugural ceremonies on June 6, 1936 and continue until the Centennial closed in November of the same year. House Concurrent Resolution No. 20, filed on October 22, 1936, authorized the department to continue the operation of the entry points "for the benefit of this State."

TxDOT has published *Texas Highways* magazine since renaming its *Construction and Maintenance Bulletin* to *Texas Highways* in 1954. Before being designated by House Concurrent Resolution No. 26 (64th Legislature) as the "Official Travel Magazine of the State of Texas" in April, 1975, it was a Highway Department house publication that was provided to department employees. In 1981, the Texas Legislature mandated that *Texas Highways* magazine should operate on a break-even basis, a level that generates receipts approximately sufficient to cover the costs incurred in the production and distribution of the magazine. From its moderate beginnings,

the magazine has grown into a first-class publication, bringing in more than $4.8 million dollars in gross revenue. In 1997, the magazine launched its website at www.texashighways.com, which assists in reaching a wider audience with content and event information.

The original intent of Travel Literature was to stimulate travel to and within the state of Texas by preparing and disseminating information of public interest, including travel/tourism literature, concerning Texas' travel opportunities. While that intent has not changed, there currently is a more coordinated effort. The Memorandum of Understanding (MOU) among the state agencies involved in tourism was first entered into in 1995. Subsequent MOUs have further broadened the level of cooperation among the agencies. Currently, the agencies develop a joint strategic marketing plan for each fiscal year which highlights both the objectives of the coming year and accomplishments from the last for each state agency. During this process, the MOU agencies review tourism publications for duplications, revisions and language needs, and create a publications database that includes each entity's publications and target audiences. Travel data is regularly uploaded to the state's official tourism website, www.TravelTex.com.

Toll Collection has expanded dramatically over the last five years as toll road programs expand across the state. Originally designed to support a small portion of the traffic on the Central Texas Turnpike System, several events have occurred that increased the volume of work. Traffic on the toll roads is higher than expected. Tag usage is much higher than expected (75 percent actual vs. 30 percent estimated). More projects have been added to the scope. As a result, the customer service center is processing over 20 times the daily transactions expected for 2008. Despite this phenomenal growth, high levels of customer service have been maintained. Seven RMAs have been formed in the last few years and they rely greatly on the support from TxDOT. Many of these start-up agencies are made up of board members without dedicated staff and they look to TxDOT for guidance and assistance.

Vehicle Registration was TxDOT's initial source of revenue when the agency was created in 1917. The County Tax Assessor-Collectors became statutory agents for vehicle registration services in 1918. Vehicle title responsibility was transferred from Texas Department of Public Safety to TxDOT in 1941. Counties became statutory agents for vehicle titling services that year. TxDOT provides the statutory and procedural guidance to assist the elected officials with these functions and counties may delegate these functions to subcontractors and vehicle dealers. The initial automated motor vehicle file was created in 1969, and a phased implementation of the Registration and Title System (RTS) during 1994-1998 provided and continues to provide standardized automated processing in all Texas counties. Internet vehicle registration began in 2000 and internet motor carrier registration began for the International Registration Plan function in 2006.

Oversize/Overweight permitting began in 1986 as the Central Permit Office (CPO). When the CPO was created, it was heralded by state government and private industry as a bold step toward meeting the needs of the trucking industry while promoting the "safety first" ethic that is inherent to TxDOT. The standardization of permit-related policies and procedures proved to promote a higher level of quality and customer service and increased levels of partnering with law enforcement. These are but a few of the many reasons the agency's permitting operations have served as a model for other states. The department's Motor Carrier Division (MCD) was created in 1995 as a result of Senate Bill 3 (74th Texas Legislature). Senate Bill 3 transferred several motor carrier-related functions performed by the Texas Railroad Commission to TxDOT. These duties, along with transferred employees, were added to the functions performed by TxDOT's CPO to create the MCD.

Motor Carrier Operations evolved from similar functions and duties performed by the Transportation Division of the Texas Railroad Commission (TRC). However, the emphasis has changed from an economic-regulation focus, concentrated on for-hire trucking companies, to a focus on safety, consumer protection, protection of the state's infrastructure, financial responsibility, and registration requirements for all commercial motor vehicles in furtherance of any commercial enterprise. Transportation regulation began with The Motor Carrier Act of 1929 and has evolved into the system we are familiar with today. The current regulation of transportation is based on weight of vehicle--any vehicle exceeding 26,000 pounds gross vehicle weight rating (GVWR) must obtain a certificate of registration. Exception includes carriers transporting household goods, hazardous materials requiring placards, and all sizes of tow trucks, which are required to register all vehicles, regardless of weight.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Flight Services affects all eligible state agencies/entities. In order to qualify for on-demand charter usage, all user agencies must comply with Chapter 2205 Aircraft Pooling, Subchapter A. State Aircraft Pooling Board; General Provisions Sec. 2205.001 State Aircraft Pooling Board Act prerequisites. This chapter stipulates the use of state aircraft for the purposes of official business.

BTEP affects the Department of Transportation and the Division offices of the Secretariat of Transportation engineers, and in addition affects the T² Centers. The T² Centers were developed as a central location within each Mexican border state for disseminating technology and information concerning all aspects of road construction and maintenance. Specific agencies impacted within the Mexican States include Tamaulipas Secretariat of Transportation, Nuevo León Secretariat of Transportation, Coahuila Secretariat of Transportation and Chihuahua Secretariat of Transportation.

Texas Statute and the Texas Administrative Code require licensure of franchised (new) and independent (used) motor vehicle dealers, manufacturers, distributors, converters, representatives, lessors, and lease facilitators to monitor their activity and ensure they meet minimum standards to serve the citizens of Texas. In addition, Lemon Law protection is available to any consumer who purchases a new motor vehicle from a licensee of the department.

The Motor Vehicle Enforcement Section directly affects Texas consumers. Over the years, approximately 40 percent of this section's complaints received come directly from consumers.

The Federal Transit Administration and State Grant Program funds are awarded to various organizations throughout the state for public transportation projects. Those benefiting from the funds are the citizens in Texas utilizing the public transportation projects. Namely these are projects which are encompassed within non-urbanized or small urban areas, but also citizens served by nonprofits, intercity bus and other related entities. Some of the grant funding is exclusively provided to transit districts, which are by state statute political subdivisions of the state. The rural transit districts are bound by county lines, excluding any urbanized areas. Urban transit districts serve their respective urbanized area. In 2005, Texas had 39 rural transit districts covering 242 counties (Note: Six counties in Texas are completely within urbanized areas), and 32 urban transit districts serving all small urbanized areas. There were also 165 separate Elderly and Persons with Disabilities agencies and 7 metropolitan transit authorities (MTA). The 2005 ridership by type is detailed below:

Agency Type	No. of Agencies	Unlinked Passenger Trips
MTA	7	247,036,580
Urbanized	32	16,027,659
Nonurbanized	39	4,485,851
Elderly/Disabled	165	1,885,970
Total	243	269,436,060

The Highway Beautification Act program affects the traveling public and outdoor advertising companies. Sign companies must be licensed and bonded by the state of Texas.

The Bicycle Coordination Program has the potential to impact all users of the state highway system due to the statutory language in Transportation Code Sec. 201.902, Road Use by Bicyclists. As stated in the code: "A bicycle coordinator shall assist the department in developing rules and plans to enhance the use of the state highway system by bicyclists."

Traffic Operations impacts all users of the transportation system. The products and functions provide the interface for drivers, pedestrians and bicyclists to safely and efficiently navigate the state highway system. In addition, many of the programs managed by this function (Safe Routes to School, Safety Bonds, Highway Safety Improvement Program, highway-rail grade crossing improvements, Traffic Safety) also apply to off-system roads such as city streets and county roads.

The primary function of *Texas Highways* magazine is to stimulate travel by showcasing the assets of the state. Readers are thus influenced by the magazine. Already noted is that 63 percent of the magazine's readers use the magazine as their primary source for vacation information. But, the larger impact is to the Texas cities, towns, and businesses which are included in the magazine's editorial pages. Readers are spurred to travel to these destinations; these cities, town, and businesses, in turn, reap the benefits of increased tourism dollars.

Travel Literature is designed to stimulate travel by showcasing the assets of the state. The larger impact is to the Texas cities and towns who are included in the publications. Both rural and metropolitan communities are which impacts tourism across the state and in those communities. As of the 4th Quarter of FY 2006, the return on investment from all of the tourism MOU partners has resulted in a return of $25.24 in state tax revenue for every state dollar invested. Additionally, the 503,971 travel packets mailed to requestors are just the tip of the iceberg in regard to distribution of the information. With information from most of our travel publications uploaded to the state's official tourism website as well as information shared with numerous other websites, the publications and data are viewed by hundreds of thousands of Texans and non-Texans alike. In 2005, there were more than 143 million leisure travelers to Texas, and total direct travel spending was $49.2 billion.

Audiovisual Production mainly impacts department employees through the development of still images for use in publications and as PowerPoint presentations as well as video productions distributed on DVD and, on occasion, encoded for internet use on the TxDOT I-Way training site. While outside groups are not allowed to generate assignments for the Audiovisual Production, they may have an interest in assignments completed by the department.

Toll Collection systems are used by over 200,000 vehicles on an average workday (May 2007 data), and were used by over 1 million persons in the first half of 2007. The TxTag program has

been overwhelmingly successful as 25 percent of central Texas households have opened a TxTag account. Many more have paid with cash or video billing. In the cities of Cedar Park, Leander, Pflugerville, and Round Rock, just over 60 percent of households have a TxTag account. All vehicles and drivers are eligible to use the roadways and therefore are affected. All may use the system one of three ways: driving and receiving an invoice; opening a TxTag account and pre-paying (by cash or credit card); or paying cash on the road, where available.

For Vehicle Titling and Registration, the motoring public is most impacted by the function. Texas vehicle owners, our primary customers, are required by law to title and register their vehicles (over 20 million registered vehicle owners and almost 6 million titles issued in FY 2006). In addition, statewide and local law enforcement generate over 40 million inquiries to the motor vehicle database annually. Database accuracy and integrity is critical to this process. TxDOT provides the procedural and statutory guidance necessary for elected officials and County Tax Assessor-Collectors who serve the public to title and register their vehicles and to perform their duties. We administer the salvage vehicle dealer licensing program and licensed over 5,900 individuals in this business in FY 2006. Enforcement and investigation of the dealers occur through law enforcement, who request suspension or revocation of the licenses as a result of their investigations. TxDOT issues vehicle titles to protect the lienholder and customer interests. Loans issued by the financial institutions for vehicle purchases are recorded on the automated vehicle records and on the certificate of title documents. Lastly, we provide procedural guidance and information to the vehicle dealer community (3,000 franchise dealers and 14,000 independent dealers) through the counties. We also provide this information directly to the Texas Automobile Dealers Association (TADA) and the Texas Independent Automobile Dealers Association (TIADA).

The Oversize/Overweight program affects interstate and intrastate motor carriers transporting loads that exceed legal dimensions (width, height, length, weight) over state-maintained roadways. It also affects the traveling public; various industries such as manufactured housing, construction, oil and gas, manufacturing, and the state's roadway infrastructure. Motor carriers, to secure an OS/OW load permit, must either have Texas motor carrier registration or an active OS/OW bond on file with TxDOT. The statistical breakdown of types of permits required by motor carriers for the period of FY03-06 is as follows:

Type of Permit Required by Motor Carriers	**Average Percentage FY04-06**	**Total Volume**
General OS/OW Single-Trip Routed Permits	63.0%	911,083
Manufactured Housing Permits	17.5%	253,599
Portable Buildings Permits	3.7%	53,082
Over-Axle Gross Weight Tolerance Permits	5.2%	75,199
30-90 Day Time Permits (Width or Length)	3.5%	50,574
Temporary Registrations for Permitted Loads	2.3%	33,796
Specialty Permits, Including:	4.7%	68,168
Well Service Permits *Crane Permits* *Hubometer Permits* *Annual Envelope* *Hay Permits* *Implement of husbandry* *Rig-up Trucks*		

Type of Permit Required by Motor Carriers	Average Percentage FY04-06	Total Volume
Utility Poles *Super Heavy Loads (>254,300 lbs GVW)* *Multi-State (regionals)* *Exempt (no-fee)* *Self-Propelled Off-Road Equipment* *Water Well Drilling Equipment* *Fracing Trailers*		
Total	100%	1,445,501

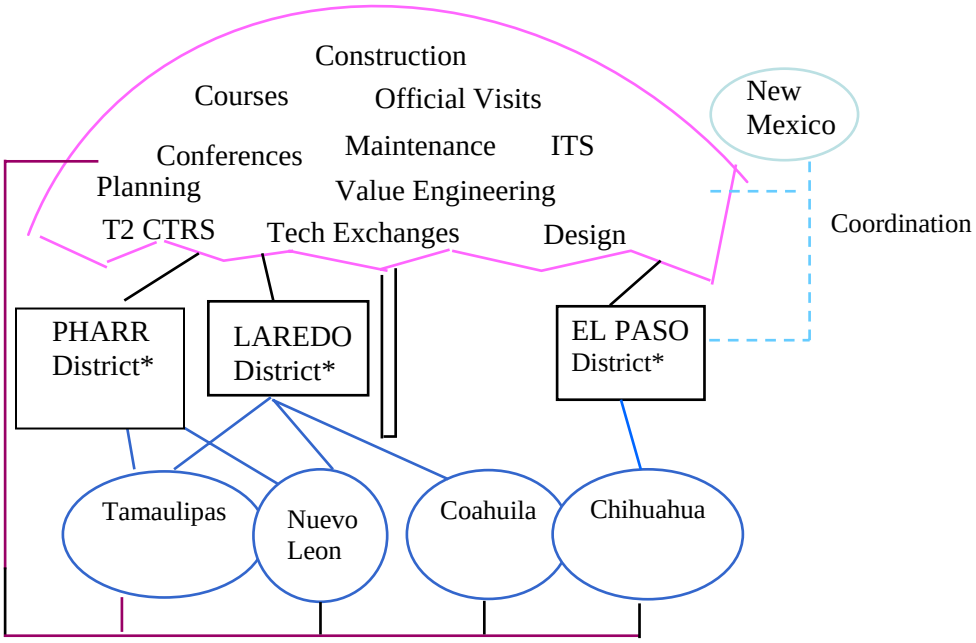
Motor Carrier Operations affect motor carriers, the general public, and law enforcement. Registration of motor carriers affects those who operate commercial motor vehicle businesses. These businesses may have individuals (owners/operators) with their own trucks who operate for the business via lease or some other type of agreement. The department also receives inquiries and complaints from the general public and law enforcement on a daily basis. In many cases we are able to provide information on carriers and insurance providers. TxDOT's website provides the same information for public view. This program strives to ensure the protection of the general public by monitoring motor carriers for proper registration and insurance coverage. Vehicle owners and operators are affected due to the laws governing vehicle storage facilities and tow trucks set the level of maximum fees and limit the types of fees and services that can be charged.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Flight Services Section is a part of the agency's Aviation Division and complies with all Federal Aviation Regulations. The TxDOT Flight Operations Manual (FOM) has recently been developed to provide policy guidance for Flight Services Section.

BTEP was placed under the supervision of the department's International Relations Office (IRO) The flow of the program is as follows:

TEXAS BORDER TECHNOLOGY EXCHANGE PROGRAM



BTEP has many activities as depicted under the umbrella above. These activities are coordinated with the respective districts for assistance. The districts, or the BTEP administrator, coordinate with the respective Mexican state for the conduct of the activity. In the case of the State of Chihuahua, Mexico, all activities are coordinated with the State of New Mexico to preclude redundancy. In addition, guidance is received from the FHWA Office of International Programs.

For the Licensing, Consumer Affairs and Motor Vehicle Enforcement Sections, the department administers procedures to the Motor Vehicle Division, then the Division Director administers the sections of the division. The Section Director manages the program area activities and staff.

For the Federal Transit Administration and State Grant Program, the department administers procedures to the Public Transportation Division. Also, within each district, a public transportation coordinator (PTC) is appointed by the District Engineer. The PTC assists with coordinating and managing the program at the local level, with direction and guidance the department. Policy and overall coordination for the various public transportation grant programs is provided by the Public Transportation Division. Coordination with specific grantees and oversight of grants is provided by TxDOT district-based PTCs.

The Medical Transportation Program is administered by the Public Transportation Division through the department. Central staff located in Austin handle statewide claims processing for Individual Driver Registrants (IDR) by processing mileage reimbursements, payment processing for contracted hotels (lodging) and hospitals (meals) for the parents of Medicaid children who are hospitalized or receiving treatment away from home; advance fund reconciliation; contract management oversight; liaison with other agencies, etc. Contract Specialists are located throughout the state to oversee transportation services vendor contracts and liaison with local citizens, clients, doctor offices, advocacy groups, and other parties. Three call centers are staffed in the state, located in Mesquite, San Antonio, and McAllen. Call center staff are responsible for arranging transportation for those clients who utilize the program.

The TxDOT Highway Beautification Program is administered through oversight by the Right of Way Division office in Austin, and through operations management by right of way sections in each of the decentralized 25 district offices as well as by the right of way section in Texas Turnpike Authority Division. Licenses are issued by the Right of Way Division and permit applications are handled by the right of way sections in the district offices. Permit applications are received, processed, then approved or denied after a field inspection of the proposed sign location site.

The bicycle coordinator functions as a subject area expert and resource for both internal and external customers. The bicycle coordinator assists the 25 transportation district coordinators with design, policy, regulation and public information issues. The bicycle coordinator works with the department's Bicycle Advisory Committee to obtain input from the public, Department of Public Safety, public health and education professionals. The Bicycle Advisory Committee meets periodically in Austin to discuss and make recommendations to the Texas Transportation Commission through the bicycle coordinator and the Transportation Planning and Programming Division. The bicycle coordinator makes occasional trips to districts as needed.

The Traffic Operations Program is administered by the agency's Traffic Operations Division under the direction of the TxDOT Administration. This division provides oversight and assistance to all department districts for traffic operations functions as well.

The Texas Travel Information Centers are located at Amarillo, Anthony, Austin (Capitol), Denison, Gainesville, Langtry, Laredo, Orange, Texarkana, the Valley (Harlingen), Waskom, and Wichita Falls. HCRS and the 1-800 road condition and travel information phone line reside in Austin. Oversight and approval for all programs, administration, maintenance, and personnel for the TICs and HCRS are managed through the Travel Services Section. For the maintenance of the TICs, the section has a supportive relationship with TxDOT's Maintenance Division and district offices. In addition, the districts provide assistance with purchasing, supplies, vehicles, accounting, and general maintenance, as well as providing personnel to the TIC when necessary, especially during an emergency situation, as when the TICs answer the phone or assist the public 24-hours a day for the duration of the event.

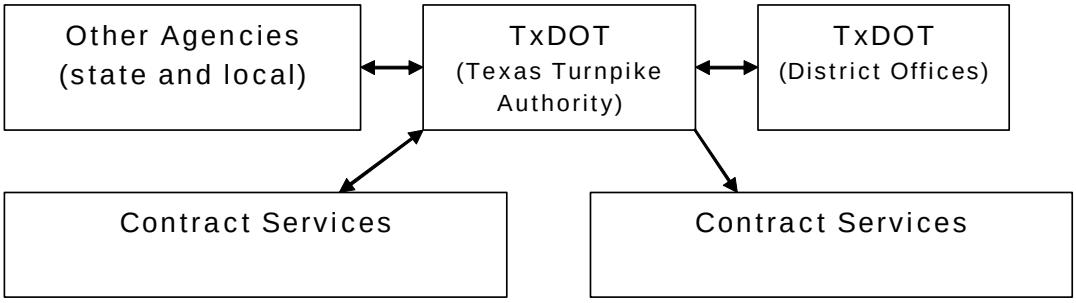
For *Texas Highways* magazine, the department administers the Travel Publications Section, which oversees the editorial, marketing, circulation, and ancillary product duties. The editorial staff is led by a supervisor and together they plan, assign, write, and edit all materials that appear in the magazine. The editor's focus primarily concerns written content, and the photography editor and art director are principally responsible for layout and photo selection. The ancillary products program is also administered by Texas Administrative Code (§23.27). Products and the process by which they are selected are done through a team approach intended to showcase unique Texas products with the best market appeal.

The Travel Literature function is overseen by the Travel Publications Section director. This section includes editors as well as a Travel Information System (TIS), which handles the fulfillment of travel literature requests. The system collects, validates, and processes requestor information for use in the fulfillment of travel literature requested.

Audiovisual Production receives assignments from all levels of the department. There is a section director who oversees all operations and is responsible for initial communications with other divisions, districts, and offices. In addition, department management sets parameters and evaluates progress regarding work flow, controls budgeting and procurement, and prepares reports, memos and general correspondence. Work performed here is initiated by written or

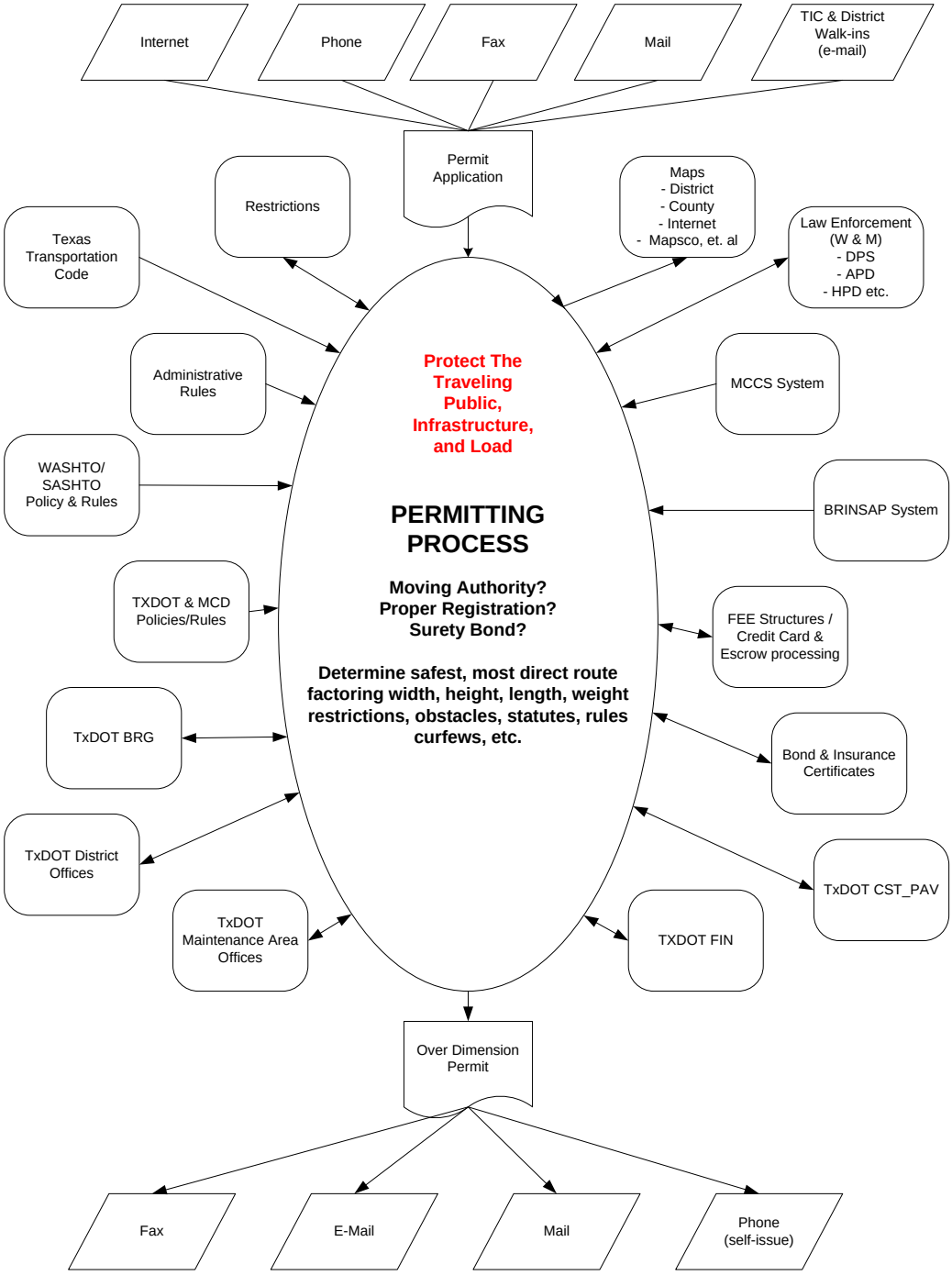
phone requests. In addition, there are regularly scheduled responsibilities such as monthly commission meetings.

Toll Collections utilizes both department personnel and contract services to manage operations. Department staff includes managers for Toll Operations (cash collections from manual and coin machines), Customer Service (customer relations in the call center, walk-up center, mail house, and related services), Customer Service and Toll Operations Technology (cash toll collection systems, back office systems, and related software), Open Road Toll Systems (deployment of open road toll systems other than the CTTS), Marketing and Public Outreach, Quality Assurance, Reporting, and Revenue reconciliation. Please see the following chart for further details:



Vehicle Titling and Registration services are provided to the motoring public through the County Tax Assessor-Collectors. With a department staff of over 400 employees, more than half of that total is located in 16 regional offices spread across the state to provide support to the counties and to provide customer service at the regional level to the motoring public. The County Tax Assessor-Collectors may choose to delegate some of their duties to subcontractors, such as grocery stores, vehicle dealers, or title services. Internet vehicle registration is available through TexasOnline for the motoring public. Texas motor carriers who travel the interstate may register their vehicles under the International Registration Plan (IRP), using the TxIRP system on the TxDOT website.

For Oversize/Overweight services, more than 99 percent of load permits are processed using TxDOT's CPS, with the only exceptions being those identified in the opening paragraph (i.e., Port of Brownsville, Chambers County, and WASHTO/SASHTO Regional permits issued by other states). The following diagram reflects the input flow, interfaces, and output of issued permits. Acronyms: TIC = TxDOT Travel Information Center, W&M = weights and measures, MCCS = MCD's Motor Carrier Credentialing System, BRINSAP = TxDOT Bridge Inspection and Appraisal Report, BRG = TxDOT Bridge Division, and FIN = TxDOT Finance Division.



Motor Carrier Operations has field offices in Austin, Arlington, Dallas, Houston, San Antonio, and Odessa. See the attached flowchart for the complaint, investigation, and enforcement procedures.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Flight Services Section is funded through the legislative appropriations process as part of the Aviation Division. Funding is provided through State Highway Fund 6. Revenue derived from maintenance and flight services is deposited to Fund 6.

From its inception in 1994 to 2002, BTEP was funded 100 percent by the FHWA and distributed by the FHWA Texas Division. Since FY 2003, funding has been at 80 percent from FHWA and 20 percent from TxDOT through the State Highway Fund 6. Monies for BTEP are determined based on a yearly program and budget submission to the FHWA who determines how much money will be allocated to the program by state based on the availability of funds. The amount per year is not known until late in the fiscal year and is not the same from year to year. FHWA has not provided any funding to BTEP for FYs 2005, 2006 and 2007. Since the state's 20 percent is based on the amount from FHWA, that amount has also been zero.

For the Licensing, Consumer Affairs and Motor Vehicle Enforcement Sections, budget allocations are received from the Motor Vehicle Division's appropriation of State Highway Fund 6 for the department.

For the Federal Transit Administration and State Grant Program, the following details the FY 2006 funding based on estimated expenditures as presented in TxDOT's September 2006 LAR.

Grants:

Fund Source		Amount
State Highway Fund		$ 31,319,100
Federal Pass-thru by CFDA		
	Planning and Research	4,450,610
	Small Urbanized	449,773
	Non-Urbanized (Rural)	23,097,102
	Elderly and Disabled	8,231,219
	Planning and Research	300,126
	20.516	197,967
Total Grants		$ 68,045,897

State Administration:

Fund Source		Amount
State Highway Fund		$ 763,455
Federal by CFDA		
	Non-Urbanized (Rural)	500,000
	Elderly and Disabled	589,970
	Planning and Research	400,000
Total Administration		$ 2,253,425

Funding formulas by program for each type of grant administered in this function can be made available.

For the Medical Transportation Program, the following details the FY 2006 funding based on estimated expenditures as presented in TxDOT's September 2006 LAR.

Fund Source	Amount
State Highway Fund (TxDOT expensed)	$ 32,522,771
State Highway Fund (to HHSC via IAC – Fund 8080)	20,374,474
State Highway Fund (to TWC via IAC – Fund 8094)	6,829,352
Funds Rec'd from HHSC (Medicaid – Fund 777)	46,957,122
Total Grants	$ 106,683,719

For HBA, the fees are paid by outdoor advertising companies. The fees are approximately as follows: Permits -- original fee, $96; annual renewal fee, $40; transfer fee, $25 per permit up to a maximum of $2,500 per transaction; replacement fee, $25. For a nonprofit sign, permit fees are approximately as follows: original fee, $10 for each sign; annual renewal fee, $10 for each sign; transfer fee, waived. The initial permit fee is $50 for a sign lawfully in existence which becomes subject to HBA.

In regard to the Bicycle Coordination Program, most bicycle accommodations are funded with regular highway funds. Many bicycle and pedestrian projects that are off of the state highway system have been funded through the Transportation Enhancement program. The Transportation Enhancement program call for FY 2006 was cancelled due to federal funding rescissions. Federal Aid funding obtained through the Texas State Planning and Research Work Program consists of 80 percent federal funds and 20 percent state funds.

The following chart details the funding expenditures related to the Traffic Operations Program by function:

Function	**FY 2006 Fund Sources**	**FY 2006 Expenditures through TRF Budget**
Traffic Engineering and Safety Construction	Fund 6, FHWA Strategies 101/201	$386,780
Traffic Engineering – Illumination	Fund 6 Strategies 101/111	$567,315
Traffic Engineering – Field Area	Fund 6 Strategy 101	$1,138,228
Traffic Engineering – Policy and Standards	Fund 6 Strategy 105	$376,786
Traffic Management – ITS Development	Fund 6, FHWA Strategies 101/103/144	$5,190,300
Traffic Management – Radios	Fund 6 Strategies 105/144	$632,175
Traffic Management – Signals	Fund 6 Strategies 105/144	$403,340

Railroad Safety – State funds	Fund 6 Strategies 101/111	$1,020,950
Railroad Safety – Federal funds	FHWA/Strategy 103	$1,417,299
Traffic Safety Function	Fund 6, NHTSA Strategy 201	$25,234,195
Crash Records Information System	FHWA Strategies 103/201	$3,051,116
Administration & Management Support	Fund 6, Strategies 101/105/144/740/741/774	$1,534,691
	TOTALS	$40,953,175

The Travel Information Centers and HCRS are funded out of Fund 6 Travel Information, TxDOT Strategy 301. The FY 06 expenditures are $6,394,527 for the Travel Information Centers and $75,334 for HCRS. The General Appropriations Act for FYs 2006-2007 provided appropriation for Travel Information in D.3.1.

Texas Highways magazine is funded out of Fund 6 Travel Information, TxDOT Strategy 301. Subscription and product sales, along with advertising revenue, largely cover the costs of production, printing, and distribution. FY 2006 expenditures were $4,997,698.30. Again, the General Appropriations Act for FYs 2006-2007 provided appropriation for Travel Information in D.3.1.

Travel Literature and fulfillment is funded out of Fund 6 Travel Information, TxDOT Strategy 301. Some of the branch's operational costs are offset by advertising and listing revenue received from the Texas State Travel Guide, the Texas Events Calendar, and the Texas Accommodations Guide. FY 2006 expenditures were $2,467,904.99 for travel literature production and $1,115,643.05 for fulfillment. The General Appropriations Act for FYs 2006-2007 provided appropriation for Travel Information is D.3.1.

Audiovisual Production is funded out of Fund 6 Travel Information, TxDOT Strategy 301. The FY 2006 expenditures were $551,514. The General Appropriations Act for FYs 2006-2007 provided appropriation for Travel Information is D.3.1.

Toll Collection salaries, overhead and contract expenditures include from Fund 6:

Strategy 105	$349,162 (Salaries & Overhead)
Strategy 101	$182,095 (Salaries & Overhead)
Strategy 101	$374,739 (Contract)
Strategy 103 & 144	$5,867,436 (Contracts)
Strategy 144	$93,265 (Contracts)

Vehicle Titles and Registration funds are provided as follows from Fund 6:

Strategy 110 - $ 53,891,128
Strategy 132 - $ 12,939,288

In addition, the General Appropriations Act for FYs 2006-2007 included Rider 8 to provide funds for purchase of registration insignia stickers and enhancement of automated RTS system may be carried over to second year of biennium, if unencumbered. Rider 36 provided that fees collected in excess of $15,000,000 in FY 2006 and $15,050,000 in FY 2007 are appropriated to Automobile Theft Prevention Authority. Federal Motor Carrier Safety Administration grants are

provided to prepare for the opening of the border with Mexico under the provisions of the International Registration Plan and for the PRISM program.

VEHICLE TITLE and REGISTRATION
FMCSA GRANT EXPENDITURES FOR FY 2006

FMCSA Project Number	Description	DD	FY 2006 Expenditures
BE-05-48-2	International Registration Plan (IRP) Re-write	52	27,943.76
BE-05-48-6 and BE-07-48-1	IRPA Project	52	125,992.57
BE-05-48-4	IRP/NAFTA	52	6,534.62
TOTALS			**160,470.95**

Oversize/Overweight services were allocated $2.8 million from Fund 6 in FY 2006. In addition, Administrative Support Services related to this function were allocated $503,000 from Fund 6 in FY 2006, also shared with Motor Carrier Operations.

Motor Carrier Operations were allocated $2.4 million from Fund 6 in FY 2006. In addition, this function received $310,000 in appropriated receipts related to tow truck functions which are spent in entirety each year.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

For Flight Services, there are no other agencies which operate on-demand charter flight operations or aircraft maintenance departments. According to a 2004 National Association of State Aviation Officials (NASAO), survey, "All states operate aircraft in some fashion." Twenty-five states indicated that a unit provided services to "Government & State Departments", while others responded that their aircraft were used for "Departmental" or other purposes (e.g., law enforcement, airport inspections, photos, etc.).

BTEP is an FHWA program that began at the southern U.S. border with Mexico and has since been established at the U.S. northern border with Canada, including Alaska. However, not all northern border states have programs. Activities and established priorities are tailored to the needs of a particular state. As most of the Mexican states border only one U.S. state (with the exception of Chihuahua, which borders New Mexico and Texas), there is no duplication of functions. Coordinating efforts has occasionally allowed more than one Mexican state to participate in an activity in a particular U.S. state, which saves additional expenditure of efforts, monies and time.

For the Licensing, Consumer Affairs and Motor Vehicle Enforcement Sections, TxDOT is the only entity charged by the State of Texas to license and regulate the motor vehicle distribution industry in Texas.

For the Federal Transit Administration and State Grant Program, the large transit systems and the federally funded portion of the small urban systems fall under the oversight of FTA. While FTA

is responsible for federal oversight and TxDOT is responsible for the oversight of the state funds given to these same systems, TxDOT generally administers its state program with the same rules, regulations, policies and those found in the federal programs. In this manner, the oversight is identical. However, the frequency of monitoring (federal monitoring is established in statute for once every three years) and some of the levels of interest vary.

For the Medical Transportation Program, other state agencies have functions that have a transportation component. Most of these agencies fall under the Health and Human Services Commission umbrella or programs at the Texas Workforce Commission. While the similarity may be the transportation component, the dissimilarity is the manner in which the funds are distributed, accounted for, or allocated/awarded.

For the Bicycle Coordination Committee, TxDOT's Design Division reviews all highway project plans to include bicycle and pedestrian accommodations. The bicycle coordinator assists in this activity. In addition, the department's Traffic Operations Division manages the Safe Routes to School Program. This program is intended to improve conditions within a two-mile area around selected schools for students so that they may walk and bicycle to school. The bicycle coordinator assists in this activity.

As for Traffic Operations, all programs and functions within TxDOT are concerned with transportation safety and efficiency. Every construction and maintenance project undertaken by the agency has safety as its primary objective. However, the programs and functions of this program focus more directly on safety and operational efficiency.

In regard to Travel Literature, while other tourism agencies such as the Texas Historical Commission and the Texas Parks and Wildlife Department produce publications specific to heritage and nature tourism, TxDOT's travel publications produce a broad-based family of literature intended to showcase all that Texas has to offer, including the cultural arts.

In relation to Audiovisual Production, the Texas Transportation Institute sometimes completes services that are similar but at a market rate. The photo library has agency counterparts that also collect and store images. The collection of images is unique to TxDOT and its contents are not duplicated by the collections at the Texas State Library and Archives or the Texas Parks and Wildlife Department.

In relation to Toll Collections, there is some overlapping jurisdiction with local (not state) agencies in certain geographical areas, such as North Texas Tollway Authority, Harris County Tollway Authority, and Regional Mobility Authorities. For remaining areas, TxDOT is the only state agency authorized to collect tolls.

For Vehicle Titles and Registration, TxDOT's Motor Carrier Division provides 72-hour or 144-hour temporary operating permits, One-Trip and 30-day permits for intrastate motor carriers, in addition to their other duties. The same operating permits may be obtained in our VTR regional offices and the County Tax Assessor-Collector offices for the intrastate motor carriers and motoring public. TxDOT licenses Salvage Motor Vehicle Dealers and, to a certain extent, regulates the dealers by responding to law enforcement requests to suspend, cancel or reinstate licenses. TxDOT Motor Vehicle Division licenses and regulates both new and used vehicle dealers.

For Motor Carrier Operations, the Department of Public Safety provides a similar function through the enforcement of Federal Motor Carrier Safety Regulations on both intra- and interstate trucking companies. However, DPS does not issue motor carrier credentials nor collect financial responsibility information. When DPS cites a safety violation, they may contact TxDOT to request a carrier's registration be revoked. Also, DPS does not enforce consumer protection regulations against household goods movers nor non-consent towing companies.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Flight Services is the sole provider of air transportation for state personnel. For billing and oversight purposes, interagency contracts are issued and renewed on an annual basis to all user agencies.

BTEP conducts Steering Committee meetings twice a year with each Mexican state in an effort to preclude duplication and to discuss past, current and future activities. The steering committee is made up of representatives from the FHWA, TxDOT, and the Mexican SCT, state DOTs and T^2 Center staff. The meetings not only serve as information-sharing sessions, but also provide an opportunity for the BTEP to determine if the activity should be shared with another state. If the same activity is being conducted in two or more states, then an analysis is conducted to determine if there is a need to have it in more than one place, or if more than one location is in the best interest of the transportation engineers involved. In addition, FHWA has a quarterly telephone conference with the four U.S. southern border states at which time past, current and future activities are discussed. There is continuous communication/activity among the four U.S. southern states in an effort to avoid duplication and conflicts of interest. Two such activities are the Local Training and Assistance Program (LTAP) and the Tribal Local and Assistance Program (TLTAP); and an annual meeting with the Mexican T^2 Centers that includes representatives from the six Mexican border states and the four U.S. southern state BTEP administrators. The latter is an effort on behalf of the FHWA to share information across the southern border and to listen to suggestions that are applicable to the region versus a particular state.

For the Medical Transportation Program, TxDOT is funding the transportation service components of the Health and Human Services Commission (HHSC) and Texas Workforce Commission through two inter-agency contracts (IAC). These IACs outline specific elements of each agency responsibility. In addition, TxDOT also participates in a quarterly oversight group that discusses policy decisions regarding the administration of transportation services in HHSC.

For the Bicycle Coordination Committee, the department's Design and Traffic Operations Divisions have different responsibilities regarding design and operation of the state highway system. The bicycle coordinator assists both of these divisions with project review, current guidelines, research and best practices. By working closely with staff in both divisions, the bicycle coordinator helps mitigate potential duplication.

The department's Traffic Operations Program works closely with other organizational units within TxDOT to ensure that there is no overlap or duplication between our programs and those of other divisions. We are currently developing an MOU with the Texas Department of Public Safety relating to the transfer of the Crash Records Bureau as required under state law. This MOU will be complete no later than September 21, 2007.

For the travel-related programs and functions, a Memorandum of Understanding (MOU) is in place to ensure against overlap and duplication with other related agencies. Agencies participating in the MOU are the Texas Department of Transportation; Office of the Governor, Economic Development and Tourism; Texas Historical Commission; Texas Commission on the Arts; and Texas Parks and Wildlife. The MOU establishes a plan of action for each agency and requires annual strategic plans to establish goals, objectives, and performance measures. It achieves separation of functions and agency focus while coordinating tourism efforts statewide.

Toll Collection and roadway operations are performed by each agency on their own toll roads. NTTA, HCTRA, and TxDOT participate in an interoperability system which allows registered customers to drive on all three systems, while being charged via their home authority account. This eliminates duplicate registrations and tag issuance for customers.

In relation to Vehicle Titles and Registration, we offer this service through our 16 regional offices as it provides additional outlets and convenience for our customers to obtain temporary permits.

Throughout the years, TxDOT has provided training to the Department of Public Safety relating to Oversize/Overweight load permits. State troopers, while performing roadside inspections, often contact our agency to discuss particulars concerning a load in question.

Under Motor Carrier Operations, the enforcement of motor carrier registration falls not only on TxDOT, but also on DPS. Investigation and enforcement by TxDOT is mainly complaint-driven. DPS initiates its own over-the-road inspections and monitors and inspects additional regulations pertaining to driver and equipment requirements, which are not under TxDOT's jurisdiction. More recently, other law enforcement agencies are becoming more involved with motor carrier enforcement, similar to DPS.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

BTEP coordinated with TxDOT divisions, districts and offices. TxDOT provides expertise in the types of road construction, planning, maintenance, bridge, environmental, safety, programming, financial, legal, and other matters relating to transportation. We also work with the Texas LTAP Center, a program established by FHWA to provide federal courses and training to transportation agencies lower than the state level and is shared with the Mexican border states. BTEP also works with the Texas Transportation Institute of Texas A&M University to conduct research that, in the past, has been shared with counterparts in Mexico and with the Mexican State DOTs and SCT. They also work with the Harlingen Metropolitan Planning Organization (MPO), which is responsible for planning transportation projects in the Harlingen metropolitan area to provide assistance in communicating with regional planning organizations in the Mexican states along the border. Lastly, BTEP works with the FHWA for guidance and funding for the program.

The Licensing Section may on occasion work with various local law enforcement entities, motor vehicle regulators in other states, and working groups or associations at the local, state and national level.

TxDOT is a member of the International Association of Lemon Law Administrators (IALLA) through the agency's Motor Vehicle Division. IALLA supports the role of government agencies

responsible for ensuring an honest, safe and informed marketplace, and promotes consumer and business responsibility in a competitive economy.

On occasion, the Motor Vehicle Enforcement Section may work with various local law enforcement entities, motor vehicle regulators in other states, and working groups or associations at the local, state and national level. Often staff are called upon to work jointly with the Federal Bureau of Investigation (FBI), Immigration Customs Enforcement (ICE), the Department of Public Safety (DPS), local police departments, Auto Theft units, the National Highway Transportation Safety Administration (NHTSA), the Comptroller's office and the Office of the Consumer Credit Commissioner, all of whom conduct investigations into alleged criminal activities or activities that violate similar statutes regarding motor vehicle dealer record keeping.

In relation to the Federal Transit Administration and State Grant Program, the department coordinates regularly with the Federal Transit Administration, MPOs, Rural and Urban Transit Districts and various counties around the state.

For the Medical Transportation Program, the department regularly coordinates with the Health and Human Services Commission, the Texas Workforce Commission, and various transportation service providers.

For HBA, we work with FHWA for any necessary clarifications of federal statutes. Certified cities have ordinances which can be more or less stringent as long as they are not in conflict with state or federal regulations.

In relation to the Bicycle Coordination Program, recommendations on Texas Bicycle Tourism Trails are coordinated with the Texas Economic Development and Tourism Office and the Texas Parks and Wildlife. This is a statutory requirement contained in Transportation Code Sec. 201.9025. Texas Bicycle Tourism Trails.

In Traffic Operations, the railroad functions work closely with cities, counties and Metropolitan Planning Organizations in the development of crossing improvement projects. They also routinely work with the Federal Railroad Administration and FHWA. The traffic safety function routinely contracts with state agencies, cities and counties in the development of traffic safety projects. They routinely work with the National Highway Traffic Safety Administration and FHWA as well. The traffic management function works closely with and contracts with local jurisdictions in the development of Intelligent Transportation Systems and FHWA. The traffic engineering function works closely with local jurisdictions through the Safe Routes to School Program, the Highway Safety Improvement Program, the Highway Illumination Program, in the development of lane restrictions by class of vehicles, during the designation of non-radioactive hazardous material routes, establishment of speed zones on the state highway system, and other aspects of traffic engineering. They also coordinate closely with FHWA and the National Highway Traffic Safety Administration. All of these activities relate to the core functions of the division as well as the strategies, goals and objectives of the department.

For the Travel Information Centers, cities, convention and visitors' bureaus, and chambers of commerce provide display-case promotional items and travel information brochures for distribution. Display of approved travel literature in all 12 of the TICs is available to these groups. Among various other rules, the literature must be 100 percent Texas travel and tourism-oriented. Tourism organizations, cities, convention and visitors' bureaus, and chambers of commerce may also submit a proposal to showcase their promotional items in special display cases available at 10 of our 12 Travel Information Centers. These cases are designed to encourage

destination travel within the state of Texas. Materials are to focus on promoting tourism that stimulates travel to a specific region or major cities.

Texas Highways magazine works closely with chambers of commerce and/or convention and visitors' bureaus across Texas. These entities provide feedback to staff and to freelancers as they fact-check every article. Often these groups also provide contact information for sites within the communities, including stores, restaurants, and museums. These contacts provide writers and photographers important access early in the process. Throughout the year, the magazine staff receives information from chambers and convention and visitors' bureaus regarding events and new attractions developing in their areas. This information may assist in story idea development. If it is an event, it will likely be added to the Calendar of Events on the magazine's website and possibly be included in the issue's calendar.

Toll Collection operations work regularly with Regional Mobility Authorities. TxDOT supports these authorities in planning, design, implementation, marketing, and operation of toll collection systems on behalf of the Authority. TxDOT performs toll collection and back office services on request for RMAs. TxDOT participates in regional toll interoperability, which allows a customer of any toll agency's electronic billing programs to drive on the other agency's roads without stopping and paying cash. We work with Justice of the Peace Courts to coordinate the prosecution of toll violators. Citations or sworn complaints are filed with the court. TxDOT presents evidence of the offense and testimony to assist with prosecution.

Please see the following table related to Vehicle Titles and Registration work with other entities:

Entity	**Gov't Level**	**Description**	**Nature of Relationship**
County Tax Assessor-Collectors	Local	Elected officials	Partners who title and register vehicles.
Texas Department of Public Safety	Regional	State police agency	Access the motor vehicle database for law enforcement duties.
City/County Law Enforcement	Local	Local law enforcement	Access the motor vehicle database for law enforcement duties.
Texas Parks and Wildlife	Regional	Boat Registration	Share communications network..
Municipalities	Local	City Gov't	Mark vehicle records via contract for late fines, fees or taxes.
Department of Criminal Justice	Regional	Prison Industry	Manufacture license plates and other registration insignia.
Department of Insurance	Regional	State agency	Regulates vehicle insurance law. Collaborate in development of a database system to provide electronic proof of liability insurance status.
Comptroller of Public Accounts	Regional	State agency	Coordinate motor vehicle sales tax information. RTS collects and accounts for tax deposited into General Revenue Fund.
Commission on Environmental Quality	Regional	State agency	Regulates vehicle emissions programs. Cooperate to collect emissions fees and deny vehicle registration for vehicles that do not pass inspection.

Office of Attorney General	Regional	State agency	Coordinate to mark vehicle records for non-payment of child support.
Department of Justice	Federal	Federal agency	Participate in the National Motor Vehicle Title Information System (NMVTIS) to provide Texas vehicle title records for access by other jurisdictions.
Federal Motor Carrier Safety Administration	Federal	Federal agency	Coordinate motor carrier safety issues as they relate to vehicle registration.
National Highway Traffic Safety Administration	Federal	Federal agency	Coordinate and conform to federal odometer requirements as they relate to certificate of title issuance.

The Oversize/Overweight Permit Section works with the Texas state, county, and municipal weights and measures units of various law enforcement agencies. This is a two-way relationship where law enforcement contacts the department to clarify information (permit statutes/rules) regarding loads that have been pulled over for investigation. TxDOT then uses the services of these units to validate weight (axle and gross) of certain loads before issuing a permit. Validation is usually limited to super-heavy loads to ensure that bridge stress analysis is based on factual data. We also rely on these units to weigh loads when a carrier is causing damage (due to weight) to the road and is suspected of having filed incorrect information on an application.

Motor Carrier Operation's registration and licensing of motor carriers and vehicle storage facilities provides a database which local, state, and federal agencies and the public can use to obtain real-time information. For example, a city can gather or verify motor carrier information and its insurance coverage following damage to property. The department receives calls and inquiries from law enforcement regarding complaints against motor carriers who operate without the necessary registration, which often prompts an investigation. The department also works with USDOT – Federal Motor Carrier Safety Act (FMCSA) to enforce motor carrier laws. TxDOT's database is linked to FMCSA's to a certain extent so that when a carrier's registration is not active with FMCSA, TxDOT's database also reflects the same.

K. If contracted expenditures are made through this program please provide:

- **the amount of those expenditures in fiscal year 2006;**
- **the number of contracts accounting for those expenditures;**
- **a short summary of the general purpose of those contracts overall;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Expenditures for the Flight Services Section are all managed through the TxDOT procurement process within the General Services Division. There are no contracts issued for operation of the section. Contracts are solely procurement for aircraft operations and maintenance costs.

During FY 2006, the Licensing Section contracted with Silent Partners for record duplication and distribution services. The total amount spent on these services for FY 2006 was $49,088.35. Silent Partners billed the department on an ad hoc basis, when services were received. Purchasing and accounting staff reviewed the invoices for accuracy and verified services were received.

Invoices were then submitted to the agency's Finance Division for payment processing.

On the Federal Transit Administration and State Grant Program, training and technical assistance contracts were procured and the amount of those expenditures in FY 2006 was $256,362. There were five contracts accounting for those expenditures, which included training classes ($74,913), preparation of inventory of public transportation resources in Texas ($66,649), and improved quality of data reported by transit operators through the development of a workbook and training ($100,771). The methods used to ensure accountability for funding and performance included that each contract was managed by a contract manager who reviewed and approved/disapproved all invoices and who was responsible for reviewing work and making recommendations about oversight of the contract.

Following are contract details for the Medical Transportation Program:

The department expended $57,930.84 on the McAllen Lease in FY 2006. This contract is for lease space for the McAllen Transportation Services Center. Rental payment amounts are set up on a monthly payment schedule, with the payment amount reviewed each month prior to processing. If the terms and condition of the lease are not met, MTP contacts the Maintenance Division for appropriate action.

The department expended $20,006,897.10 on the Health and Human Services Commission IAC in FY 2006. The purpose here is to reimburse HHSC for transportation services provided by HHS agencies to eligible clients. Funds are not released until TxDOT receives documentation indicating that the funds have been expended for transportation service-related activities. Then there is an ITV transfer of funds to HHSC. Performance of the transportation services would be the responsibility of HHSC or the receiving agency of the funds as TxDOT's only reimburses based on reports received. Problems include timeliness of receipt of invoices and required documentation, as well as being able to determine if the services being reimbursed are directly tied to what TxDOT defines as a transportation service.

TxDOT expended $6,260,239.26 in FY 2006 on the Texas Workforce Commission IAC. This is also for the reimbursement of transportation-related services for eligible clients. Funds are not released until TxDOT receives documentation indicating that the funds have been expended for transportation service related activities. Then there is an ITV transfer of funds to TWC. Performance of the transportation services would be the responsibility of TWC or the receiving agency of the funds as TxDOT's only reimburses based on reports received. In previous years, TWC did not expend all of the funds requested and therefore had to reimburse TxDOT at the end of the year. However, with receipt of the reports that were put in place, TxDOT has data to better monitor the expenditures each month and therefore only reimburse for services provided to date of invoice.

Service Providers
Amount of those expenditures in FY 2006:
Medicaid: $64,119,808.55
Children with Special Health Care Needs (CSHCN): $365,401.98
Transportation for Indigent Cancer Patients (TICP): $89,977.92
Number of contracts: FY 06: 9/01/06-06/26/07 -- 52 contracts with 335 different rates; 06/27/2007-current -- 15 contracts with 2 rates per service area; Individual Driver Registrants (IDR)- approximately (8000); hotel contracts (8); hospitals (8)

The service provider contractors include: transportation contractors, individual driver registrants, air travel, hotels, lodging facilities and hospitals. They provide different type of services to Medicaid, CSHCN and TICP clients. These services include, but are not limited to: ground transportation, meals, lodging and air travel. Claims for hotels and hospitals (for meals) are submitted with an invoice noting billable charges; claims processing system (TEJAS) only allows contractor claims to be paid for authorized service; IDRs-insurance, social security numbers and driver's license and other required documentation has to be reviewed and up-to-date in TEJAS before a claim can be processed.

Problems encountered include IDRs not returning required documentation and claims so that they can be processed in a timely manner; management/staff turn-over with hotel contractors; administrative work involved with meal and lodging contracts; delayed contractor billing; contractors on occasion try to bill for no-shows or other things that are not reimbursable by Medicaid; transportation service performance issues with some contractors.

The following table represents contract expenditures related to the Traffic Operations Program:

	Program or Function	**Contracting Entity**	**FY06 Expenditures**	**Summary of General Purpose**
1	Traffic Engineering (TE) Illumination	Electrical Review Team – My Trade Training and Fugro	$160,740	Inspection of lighting and electrical systems on TxDOT statewide construction projects.
2	TE Illumination	Channel Three Video	$49,032	Electrical video training program development and production
3	TE Illumination	Lighting Sciences	$40,059	Conducting a series of electrical and photometric measurements on lighting assemblies
4	TE Safety Construction	Texas Transportation Institute IAC 5XXIA012	$105,143	Strategic Highway Safety Plan
5	TE Safety Construction	Texas Transportation Institute IAC 6XXIA003	$29,160	Crash Analysis
6	TE Safety Construction	Texas Transportation Institute IAC 5XXIA004	$45,248	Safety Evaluation
7	Traffic Management (TM)	Texas Transportation Institute IAC 5XXIA006	$40,000	Represent TxDOT's interests in the dev. of national ITS standards on transportation data and communications infrastructure; transfer to TxDOT the relevant info gained on national ITS standards development.
8	TM	Southwest Research Institute	$3,615,372	To provide services that support the development, integration, deployment, maintenance and improvement of compatible, uniform, and interoperable intelligent transportation systems (ITS) projects for the ongoing statewide development and integration (SDI) program.
9	TM	AASHTO	$41,640	Radio Frequency Coordination Fees
10	Crash Records Information System (CRIS)	Austin Strategy Group	$240,020	Project Manager CRIS

11	CRIS	DPS IAC 6XXIA004	$2,808,850	DPS Support Personnel and Technical Support of CRIS
12	Railroad	Carter & Burgess	$513,476	Engineering services for highway rail grade crossing inventory and analysis.
13	Traffic Safety	Sherry Matthews	$7,203,891	Develop traffic safety, work zone, and hurricane media campaigns
14	Traffic Safety	NF Consulting	$166,268	Contract Manager eGrants Project
15	Traffic Safety	Agate Software	$441,750	Software Development Vendor eGrants Project
16	Traffic Safety	Various state and local governments, educational institutions, and non profit organizations.	$19,989,554	Multiple federal and state grants to identify traffic safety issues and implement programs to improve traffic safety.

For the Travel Information Centers, the department expended $644,352 on security contracts for FY 2006 and $1,222,238 on janitorial/grounds contracts. There were 15 janitorial/groundskeeping contracts: five TICs have their janitorial and groundskeeping contracts combined into one contract, for a total of five contracts. Five TICs have separate contracts for their janitorial services and grounds keeping, for a total of 10 contracts. There were eight security contracts: eight TICs have 24-hour restrooms, and require security contracts, for a total of eight contracts. (Note: The Capitol Visitor Center and the Judge Roy Bean Visitor Center do not contract for any service.) The general purposes of the contracts are for upkeep and to maintain the TICs. The janitorial and groundskeeping contracts are through the State Use program. The method used to ensure accountability for funding and performance include that every TIC has a supervisor who manages the contracts to ensure accountability for funding and performance.

For *Texas Highways* magazine, the total amount of FY 2006 contracted expenditures was $2,949,930. There were 50 contracts accounting for those expenditures, of which 34 were contracts with ancillary product vendors. Most of the contracts cover printing, pre-press services, service bureau circulation services, ancillary products, shipping, and services related to advertising and handling reader service leads. All contracts are managed by at least one primary contact person. Invoices are reviewed by a minimum of two people before approval and payment processing. All contracts include penalties for substandard service. Administrative rules oversee the purchase of ancillary products. Teleconference calls take place every two weeks with printer and service bureau contractors in order to manage and monitor those contracts as efficiently as possible.

For Travel Literature, the total amount of FY 2006 contracted expenditures was $2,350,107, which included 25 contracts. Most of these contracts cover printing, pre-press services, data management, shipping, and services related to advertising and handling reader service leads. All contracts are managed by at least one primary contact person. Invoices are reviewed by a minimum of two people before approval and payment processing. All printing contracts include penalties for substandard work. Staff attends press checks on all primary publications to ensure quality.

For Audiovisual production, the department expended $12,178.73 on three contracts in FY 2006: Holland Photo Contract $8,532.48; Replicopy Contract $1,842.25 (current and expired contract expenditures); Minolta $1,804.00. The Holland Photo contract provides film processing and printing services; Replicopy provides video and digital duplication services; and Minolta provides leasing of two digital copiers. Funding accountability was achieved though accurate reporting of needed budget amounts to cover the services; contract performance was carefully reviewed to ensure the final product met industry standards and the needs of the requestor.

For Toll Collection services, the following contract expenditures were incurred in FY 2006:

Raytheon	$5,867,436 – Toll Systems
Nossaman	$ 374,739 – Legal services
Washington Group International	$ 13,151 – Customer services
Sherry Matthews	$ 59,548 – Marketing services
Carter-Burgess	$ 3,563 – Professional services
Guard It	$ 5,000 – Toll Systems
TTI	$ 12,003 – Marketing Research

Contract services were provided for: labor and associated services to staff the customer service center, toll plazas, and project office; toll collection systems on the Central Texas Turnpike System (CTTS); open road toll systems on projects other than the CTTS; customer service and back office systems programming and support; marketing services; printing and mailing invoices and notices; professional services related to above contracts and coordination with the Department of Public Safety. The department ensures accountability for expenditures by assigning an employee as the contract manager for the individual procurement to review and accept deliverables and provide reviews of invoices. We also provide extensive cross-checks of deliverables and invoices through multiple layers of review, finally providing authorization through an office separate from the contract manager's office. These functions are performed in addition to contract rate verifications and budget reviews.

Please see attachment VII-K for details on contracts related to Vehicle Titles and Registration services. **Click here** to view the document.

Motor Carrier Operations expended $25,361 on two contracts in FY 2006. These contracts encompass the consumer protection mediation program coordinated by TxDOT as required by Transportation Code 643 and 43 TAC 18.62. The program involves the mediation of disputes regarding household goods shipments between the shipping public and motor carriers. Disputes may include fees, damages, services, etc. The mediator is an impartial third party. Mediations are conducted by written submissions, telephone conferences, or mediation sessions held at TxDOT in Austin. Sessions are conducted during normal business hours 8 a.m. to 5 p.m. TxDOT, through a mediator, establishes the date and time for mediations. Mediations are conducted within 60 days of assignment and billings are within 30 days of the mediation session.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Please see Section IX on Policy Issues for details on suggested statutory changes to enhance the performance and functions of agency programs.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Additional information on the Texas Lemon Law is available in the latest Lemon Law Annual Report. This report can be found on our website at:
www.txdot.gov/publications/motor_vehicle.htm

Highway users have a significant positive influence on the state's economy. The TICs enable the smallest entities, rural communities, local museums, attractions, accommodations, and restaurants

the opportunity to display their brochures, promote themselves, and sell their product alongside conglomerates and businesses with massive advertising budgets. All entities receive equal treatment and coverage, and highway users get unbiased input. Research shows that travelers who stop at a TIC visit more sites and attractions, and do and see more during their stay, spending more money in Texas, as well as purchasing more gasoline. In 2000, state sales tax revenue generated by the TIC program was $10.8 million, and state motor fuel tax to TxDOT generated by the TIC program was $3.1 million. The small communities realize the greatest impact. Travel counselors are the sales force for small communities and rural areas, promoting their messages to 3.6 million highway users.

Texas has the highest rate of fatigue-related accidents in the United States, but safety is increased when TICs offer road-weary travelers a place to stop and rest. TICs are safety oases, places where travelers can gather information about things to do and see in Texas, have the use of clean restrooms, and can pick up a map, take a break from driving, and receive true Texas hospitality. The TICs are the front door to Texas, to the governor, and to TxDOT.

Currently the Oversize/Overweight Permit Section maintains hours of operation 6 a.m. to 6 p.m., Monday through Friday and 6 a.m. to 2 p.m. on Saturday. The office is also open to issue permits during all state holidays, but is closed on federal holidays. Motor carriers may submit applications by internet and by fax 24/7, but these applications are processed only during Permit Section hours of operation. A new software application solution [the Texas Permit Routing Optimization System (TxPROS)] is currently underway to develop an online system that will allow carriers to apply for and receive permits within certain size limitations on a 24/7 basis. TxPROS will provide system-generated and approved routes and, once accepted and paid for by the carrier, will automatically issue a permit. This solution is currently in the contract negotiations stage and is estimated to have an 18-24 month development timeline following contract signing.

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Manage It
Location/Division	Statewide
Actual Expenditures, FY 2006	$526,797,578,84
Number of FTEs as of August 31, 2006	1,098

B. What is the objective of this program or function? Describe the major activities performed under this program.

Programs and functions within our "Manage It" strategy include central and regional administration, information resources, financial matters and other support services as described below.

The objective of the Internal Audit function is to assist TxDOT personnel in the effective performance of their duties. This is accomplished through independent and objective assurances and consulting activities designed to add value and improve internal operations and organizational units. The major activities performed include routine audits and management directed reviews of TxDOT functions and organizational units. Routine audits focus on the

reliability and integrity of information, internal controls, efficiency and effectiveness of operations, program results, safeguarding of assets, information systems control, and compliance. Management directed reviews focus on allegations of impropriety.

The objective of the External Audit function is to audit cost reimbursement and negotiated contracts external to TxDOT to ensure that the costs billed under these contracts are reasonable and necessary, allowable under the contract and applicable federal cost principle guidelines, and in compliance with the governing laws and regulations. The major activities performed include audits of consultant engineers, railroads, utility companies and entities receiving grant money through TxDOT. Evaluations may be made on allowable charges on project or grant agreements, reasonableness of proposed overhead charges, internal controls in the external entity's cost accounting system, or compliance with other financially related terms of a contract or agreement.

The Financial Services function is responsible for TxDOT's accounting, forecasting, budgeting, payment for all goods and services, and processing of all receipts and revenues. Financial services analyze financial effects of proposed legislation on TxDOT; administers the debt management, investment, and bond programs of TxDOT; and administers the State Infrastructure Bank and pass-through toll financing projects, which assist local governments with transportation project funding.

The former Government and Business Enterprises Division (GBE), now the Government and Public Affairs Division (GPA) including public information services, serves as TxDOT's liaison to federal and state lawmakers, coordinates and directs the agency's participation in the state and federal legislative processes, helps formulate transportation-related legislative policies, oversees comments to the Texas and Federal Registers, and prepares department responses to external organizations as requested by the commission and the administration. The GBE division included five distinct sections as of August 31, 2006: Administration, Federal Legislative Affairs, State Legislative Affairs, Research, and Marketing. As of July 1, 2007, the GBE division became the GPA division, the result of the merger between GBE and the department's Public Information Office. This new division creates one centralized voice for the department's outreach efforts, public information, and supports the agency as it works to provide the transportation network Texans need and expect.

The General Services Division (GSD) provides essential services to support the core functions of TxDOT by procuring goods and non-professional services for all Austin Headquarters divisions and offices, and overseeing the purchasing program for the 25 districts. During FY 2006, GSD completed purchases totaling over $580 million. It is also responsible for establishing and ensuring compliance with procedures for all levels of purchasing within TxDOT. GSD procures goods and non-professional services in accordance with statutes, rules, TBPCs and, Department of Information Resources (DIR) requirements, TxDOT policies and procedures, and professional purchasing ethics; acts as subject matter expert on applicable purchasing and equipment policies, statutes, rules, federal law, and industry standards; administers a statewide, real-time, automated purchasing system, which enables processing and tracking of purchases from request through receipt of goods or services provided; maintains the purchasing manual to ensure compliance with policies, procedures, and statutes; develops new programs, and ensures existing programs remain current and relevant to address legislative and departmental mandates and goals; oversees the TxDOT Procurement Card program, participates in TxDOT outreach programs to meet or exceed Historically Underutilized Business good-faith effort goals; and maintains purchasing-related records in accordance with records retention guidelines.

Fleet Management oversees TxDOT's major equipment fleet, which consists of approximately 17,000 units with a combined replacement value of $262,933,200.00, including vehicles and highway maintenance equipment. The objective of the program is to maintain the equipment to its optimum operating effectiveness and cost efficiency.

TxDOT's Recycling Program strives to reduce waste and increase use of recycled materials and products in all aspects of the department's operations, including offices, roadway and building construction and maintenance, and fleet management.

The Violence Prevention Program establishes guidelines to promote a safe work environment for all employees. The department does not allow, condone or tolerate harassment, threats of physical aggression or endangerment, violence or threats of violence from employees while on duty, on TxDOT premises, or while operating a state vehicle. Reports of these behaviors are taken seriously and action taken accordingly.

The main objective of the Recruitment Program is to seek, attract and recruit qualified persons to fill department positions.

The Strategic Management Resource Office within our Human Resources Division (HRD) identifies, evaluates, and researches opportunities for program and project development that will improve or enhance the quality of human resources services provided by the Human Resources Division. Major activities include: developing and implementing improved business processes to enhance delivery of high quality customer service to department employees; coordinating changes, revisions or enhancements to current human resources programs; researching and analyzing workforce metrics; and making recommendations.

The Management Staff Development Training Programs provide legislatively mandated training, such as New Employee Orientation, internal policy required management training in performance management, progressive discipline, interviewing and hiring and critical negotiation skills. This function also provides management training to maintenance personnel due to high turnover ratios within this job classification. Provide higher level management and leadership training to senior and executive level personnel through the Governor's Center for Management Development (GCMD) - Senior and Executive programs, and the American Association of State Highway Transportation Officials (AASHTO) Management program.

Our Engineering Assistant Development Program prepares Engineering Assistants to become registered Professional Engineers in the state of Texas, employed by the department. With the declining number of civil engineering students from institutions of higher education, an increasing demand for professional engineers, and a pay scale that is not advantageous to state employment as a professional engineer, this internal program is designed to develop and retain our own workforce of professional engineers to meet the shortfalls experienced in hiring and retaining engineers.

The objective of the Border Governors Conference is to provide a forum for all ten Mexican and U.S. border states to work together to address significant topics for this strategic region. This conference takes place yearly and work continues throughout the year leading up to the conference. Work tables meet to establish recommendations relevant to their specific interests, and accomplish the tasks outlined in those recommendations. The activities pertinent to this program include meeting with all 10 states represented on the work table, drafting recommendations, and follow-through, or execution of tasks. Additionally, IRO staff attends the conference and represents the interests of TxDOT on the Border Crossings Worktable.

The Interagency Work Group on Border Issues was created by House Bill 925 of the 79th Legislature. HB 925 codified a group that had been meeting for several years. The Texas Border and Mexican Affairs Division of the Secretary of State's Office had previously established a State Agency Advisory Roundtable on Border/Mexican Affairs (Advisory Roundtable) for the purpose of identifying common interagency border concerns. This group became the Interagency Work Group on Border Affairs. The Strategic Investment Commission (SIC) was also created by HB 925 to look at commerce between Texas and Mexico, interactions with federal agencies, efficiencies at border crossings, as well as a variety of other issues related to international trade with Mexico.

The objective of the U.S.-Mexico Bi-national Bridges and Border Crossings Group Program is to discuss existing and proposed bridges and border crossings along the U.S.-Mexico border, their related infrastructure, and to exchange technical information so that those projects, which both federal governments deem beneficial, may complete the approval process of the two respective governments. This group also focuses on the status/needs of current border crossing facilities, and transportation access and infrastructure to those ports of entry. Related issues such as toll roads and other infrastructure projects are discussed, as well as operational matters involving existing and future crossings.

TxDOT's information technology (IT) support function, as implemented by our Information Systems Division (ISD) provides information services to support TxDOT's administrative and engineering business functions; manages and operates TxDOT's central computer, software and network facilities; provides information systems and the technical expertise to help department personnel use them; and manages voice and data telecommunication systems and provides photogrammetry services.

The Facilities Management and Capital Improvement Program composed of architects, engineers and other in-house professional and technical support staff, is responsible for centralized strategic planning, asset management, policy making, design standards, program implementation and facility management of all TxDOT's statewide facilities. The major programs include the Capital Improvement Program (CIP), Safety Rest Area (SRA), Tourist Information Centers (TIC), Border Safety Inspection Facilities (BSIF) and Real Property Asset Management. The programs involve long- and short-term planning, land acquisitions, architectural design, letting, new construction, renovations, major repairs, construction administration, facility maintenance, consultant management, space planning and management, and space leasing. Additionally, it is charged with the responsibility to assess, prioritize and recommend to the Administration and the commission on statewide facility priority needs and initiatives based on the comprehensive statewide facilities plan and changing mission goals and objectives. It plays an integral role in planning and supporting statewide emergency management activities by providing technical assistance, damage assessment and facility recovery efforts.

The department's Pre-Employment and Substance Abuse program provides safety for the department's employees by not placing them in jobs they are not physically capable of doing and to work toward providing an alcohol- and drug-free environment in the workplace. The alcohol- and drug-free environment is also a safety issue for the traveling public, who has the right to expect the department's employees to not be under the influence of alcohol or drugs. The department is required by the Labor Code to secure a pre-employment physical of all new, prospective employees to determine if they are physically fit to perform the duties and services to which the individual is to be assigned. To comply with the requirements mandated, all prospective employees are sent to a department-selected physician. Copies of the employees'

duties are supplied to the physician by the employing supervisor prior to the actual pre-employment physical being completed. In addition to Labor Code requirements, the Federal Motor Carrier Safety Administration (FMCSA) regulations require mandatory drug and alcohol testing of all commercial drivers.

The Hazardous Materials (hazmat) Program ensures compliance with the rules and regulations developed by state and federal agencies. This section provides specialized training to select TxDOT employees including: hazard communication comprehensive and refresher, respiratory fit-testing, new employee orientation, hazardous materials awareness, Tier II reporting, and defensive driving. The hazmat program coordinates external safety training through contractors for TxDOT employees.

The TxDOT Wellness program is part of this section. This program has initiated an annual benefit/wellness fair for employees and facilitates the participation of TxDOT employees in the governor's Texas Round-Up fitness and health challenge.

The Safety and Industrial Hygiene Program oversees the health and safety of all department employees in their work environment. This section provides departmental incident prevention policies and procedures and the implementation of an effective safety education program. The objective is to reinforce a proactive incident prevention approach to performing any type of job function within the department.

Being totally self-insured, the department's Workers' Compensation and Substance Abuse Section covers employees for injuries they sustain in the course and scope of their employment. All employee injuries are required to be reported to the workers' compensation section of the Occupational Safety Division (OCC). Any employee who loses time due to their injury is personally contacted by an OCC Field Representative who will investigate the circumstances of the injury, determine if the claim is compensable under the statute, if there are any safety issues that need to be addressed, and then report to the Austin office with recommendations for payment, or denial, of the employee's reported injuries. All OCC adjusters who handle workers' compensation claims are licensed in accordance with the rules and regulations of the Texas Department of Insurance (TDI).

The Texas Department of Transportation falls under the Texas Tort Claims Act, Texas Civil Practices and Remedies Code, Chapter 101. TxDOT is self-insured in the tort and liability claim areas. Tort claims are claims involving personal injury or death alleged to have been caused by a condition or use of tangible personal or real property. Liability claims are claims for property damage, personal injury and death caused by our motor-driven vehicles or equipment. It is the function of the section to investigate these claims fully to determine the facts and determine the department's liability, if any. The objective is to resolve all claims on behalf of the department and to protect the department from unfounded claims. The Occupational Safety Division works with the Attorney General in defending the department to the highest level when the department has committed no act of negligence. The section also processes open records requests for information concerning actual and potential tort or liability claims.

The Office of Civil Rights (OCR) is responsible for Title VI and Title VII activities. This includes conducting investigations of internal Title VII (Civil Rights Act of 1964) discrimination and nondiscrimination grievances, equal employment opportunity contract compliance reviews, and for providing technical assistance to the department's districts, divisions and offices. OCR is also responsible for the department's Affirmative Action Program and for monitoring equal

employment opportunity efforts. The OCR director is the department's designated Americans with Disabilities Act coordinator and serves as the department's EEO officer.

The Office of General Counsel (OGC) provides legal advice to the Texas Transportation Commission (commission) and to all districts, divisions, and offices of the Texas Department of Transportation (TxDOT) on all subjects relevant to TxDOT and its operations. The General Counsel is the certifying official for matters filed with the Secretary of State, including open meetings filings for the commission, TxDOT, and TxDOT advisory committees. OGC acts as the designated agent for service for nonresident motorists involved in motor vehicle accidents on public roads and as the agent for the commission and TxDOT for all lawsuits against TxDOT. OGC serves as TxDOT's contact for Public Information Requests. Attorneys of OGC: advise TxDOT staff concerning contracts, including contract drafting, review, interpretation, and the handling of contract disputes; review civil rights complaints; handle conflicts and ethics issues, management-directed investigations and audits; oversee human resource issues, including job applicant and hiring issues, employee grievances, and FMLA, ADA, and substance abuse issues; handle various other legal issues, including issues related to toll roads, Comprehensive Development Agreements (CDA), innovative debt financing, State Infrastructure Bank, rail, outside counsel contracts, billboard relocation appeals, right of way (ROW), driveway access, intellectual property (IP), vehicle title and registration (VTR), traffic operations, motor carrier regulation, public transportation, environment, the Gulf Intracoastal Waterway (GIWW), and the coastal management program. The Contract Services Section (CSS) of OGC reviews, processes, and implements TxDOT contracts and works to ensure compliance with federal and state laws, including rules and regulations, pertaining to contracting activities of TxDOT.

The Research & Technology Implementation Office (RTI) manages TxDOT's technical research program, which is conducted predominantly by Texas state-supported colleges and universities under contract with TxDOT-RTI. The objective of the research program is to scientifically examine issues and identify innovations, practices, and practical solutions that can improve the Texas transportation system and/or TxDOT functional operations. RTI also manages TxDOT's implementation program, designed to assist, on a short-term basis, with implementation of new technologies, innovations, practices, and solutions as they are initially integrated into TxDOT operations.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The effectiveness and efficiency of the Internal Audit function is measured annually against the annual audit plan for that year. In FY 2006, the Audit Office completed 16 of the 20 internal audits that were planned (80%) and spent 8% of the time on unplanned audits (e.g. management-directed reviews). The performance measures report for FY 2006 is provided in the Attachments.

The effectiveness and efficiency of the External Audit function is measured annually against the annual audit plan for that year. In FY 2006, the Audit Office completed 584 audits, which exceeded the external audit plan of 510 audits. In addition, a total amount of $2,227,388 was cited and a total amount of $2,930,867 was collected from the audits that were conducted. The performance statistics for FY 2006 are provided in the Attachments.

Our financial services function is effective, as evidenced by the absence of substantive findings and/or citations by any of the several organizations that regularly audit our work, including the

State Auditor, the Comptroller of Public Accounts, the Texas Building and Procurement Commission, and the Federal Highway Administration. The department has experienced decreases in time lapse between receipt of money by any office of TxDOT to deposit of that money into the Treasury (or other depository if appropriate), decreases in time lapse between receipt of invoices and delivery of payment (however, state law sets minimum time periods for payment in many cases, so we are unable to maximize decreases in all cases), decreases in time required to retrieve and/or use financial records and has seen improved ways to provide instructions, coding, and other information to users via our website and other electronic documents.

In FY 2006, TxDOT purchased over $580 million worth of goods and non-professional services through 130,000 purchase orders. Our purchasing program provides ongoing guidance to districts/divisions/offices on correct purchasing practices and requirements for complying with state purchasing laws and rules. 75 percent of TxDOT purchasing personnel statewide are State of Texas certified to the first and/or second level of purchasing certification and approximately 40 percent of purchasing personnel statewide are nationally certified. TxDOT holds the National Institute of Governmental Purchasing, Inc. (NIGP) Outstanding Agency Accreditation Achievement Award. The automated purchasing system provides real time processing and tracking of purchases from request through receipt of goods or services provided. The system provides reports and data for analysis and planning. TxDOT utilizes State of Texas Payment Cards at the lowest operational levels of the department. The issuance of payment cards to users around the state (with training, oversight, and controls in place) has saved the state millions of dollars by reducing purchasing processing costs. In FY 2006, TxDOT purchased $13.2 million worth of goods through 131,000 transactions using the State of Texas Payment Card.

Fleet Management annually conducts an average of eight district equipment safety surveys resulting in all 25 districts being reviewed every three years. In addition, this function annually conducts four district preventive maintenance reviews, annually investigates an average of 20 equipment-related incidents/accidents as they are reported, manages a total fleet of 10,307 vehicles of which 4,029 (39 percent) are alternative fuel, oversees $42 million in statewide equipment repairs, 40 percent of which is outsourced (35 percent legislative mandated goal), oversees the purchase of 13,721,249 gallons of fuel (gasoline, diesel and alternative fuel) at an average price of $2.23 per gallon. TxDOT displaced conventional petroleum fuels with 3,581,802 gallons or 26 percent of alternative fuels, assists in the annual purchase and deployment of approximately 1,300 pieces of equipment at a cost of approximately 47 million, and oversees operation of 69 hybrid-electric sedans/small utility vehicles and almost 900 flex-fuel (ethanol-E85) light-duty trucks.

Each year, the Recycling Program quantifies the amount of materials recovered for recycling, the quantities of recycled materials used in roadway construction or maintenance, and amount spent on environmentally preferable (green) products. The Program also tracks the extent of recycling services and the degree of employee access. Per legislation, the program prepares reports on green purchases for the Comptroller's Office and the Texas Building and Procurement Commission (TBPC) and on TxDOT's use of scrap tires and rubber on roadways. As a result, TxDOT is recognized not only within Texas but across the country as a leader in reducing its environmental impacts through material recovery, green purchasing, and cost-effective roadway use of recycled materials.

The overall Employee Assistance Program (EAP) utilization rate of 7.4 percent among our employees includes helpline calls for EAP counseling services and financial and legal services. It is not possible to determine how many of these were related to the violence prevention program.

However, 9 percent of all the mandatory referrals for FY 2006 were for violence prevention policy violations. 72 percent of these employees successfully completed their treatment program.

The Rapid Hire Program (RHP) is a recruitment program that allows hiring supervisors to compete more favorably with other employers who are recruiting the same graduating students for similar positions. The program provides a streamlined hiring process for college graduates and allows recruiters to make on-campus job offers based on campus interview results. In the last three years, 304 college graduates, mainly civil engineers and IT, have been hired into critical positions under this program.

The Management Staff Development Training Program provided management and soft-skill training for 4527 employees at a cost of $27.31 per employee, delivering an average of 6.1 hours per employee. This cost per employee benefit ratio ranks in the BEST tier of the ASTD model for cost-to-delivery comparisons.

The Tuition Assistance Program graduates have risen through the ranks to senior-level management positions in the department. Professional engineers have utilized the program to acquire a greater knowledge base, which enables career advancement and more technical knowledge in core functions.

As a direct result of the Group Benefits Program there has been a decrease in employees that have incorrect and/or inaccurate benefits selection entered in the system, as well as incorrect deductions taken out of their paychecks. This saves time and money as related to another divisions, such as FIN needing to perform manual corrections to employees' pay checks, and lessens the occurrence of frustrated employees waiting for payroll corrections to happen. This same principle can be applied to a decrease in employees that have incorrect Deferred Compensation elections in the system. Also, by the effectiveness of the agency's administration of rules and regulations, there is a decrease in the necessity of Letters of Exception (with the ERS) and Letters of Authority (with the CPA) to make corrections.

Department Engineering Assistants who did not utilize the Engineering Assistant Development program in Spring 2006 represented a 35 percent pass rate for the PE exam. Those who utilized the program resulted in a 50 percent pass rate of the PE exam.

The primary output of the Border Governors Conference is a Declaration, signed by the 10 U.S. and Mexico border governors. This declaration contains the recommendations of each work table, and is shared with the presidents of each country. While this conference is not directly controlled by any one state, by virtue of the fact that it involves all border states, it provides a united voice on border crossings and many other issues. For the specific Border Crossings worktable, there are two ways to consider the performance measures: 1) the achievement of recommendations supported by all ten states and the inclusion of these into the final declaration by the governors, and 2) in recommendations that can be affected by the states, the accomplishment of those actions during the course of one or various years. For example, in 2007, the table agreed to recommend that a letter signed by the governors pertaining to the Western Hemisphere Travel Initiative be drafted and sent. This document was created and will be presented to the governors at the next conference.

The Interagency Work Group on Border Issues gives agencies the opportunity to share border and cross-border programs and issues with other agencies. It also gives sister agencies points of contact in the different agencies where they can go to get information related to the border for that agency. The fact that state agencies can interact and have points of contact in other agencies

that deal with the border area is a tremendous help. The SIC met twice during 2006. Previously, the roundtable met on a quarterly basis; however, it now meets once a year.

The effectiveness and efficiency of the U.S.-Mexico Bi-national Bridges and Border Crossings Group Program is demonstrated by the longevity and commitment of the federal and state agencies that have participated in the group for over 12 years. During the group's existence, Presidential Permits for ten bridges/border crossings along the Texas-Mexico border have been issued; six of which have been constructed and are operational. Without the cooperation and coordination of all the federal, state and local entities that participate in this group, the permitting and/or construction process for these projects would have been next to impossible. Each agency/entity that participates in the group is like a piece of the puzzle, they all contribute pieces that are instrumental for a project to come together and to fruition. In light of the recent years' security issues, the group has taken on additional roles to carry out federal mandates regarding security. Most recently, the group has had to take on the transportation-related mandates in the 2005 Security and Prosperity Partnership of North America, has included participation from the Department of Homeland Security in the group, and has increased group dialogue with participants from the federal inspection facilities to find ways to help make the inspection processes more effective.

The Information Technology Support Program maintains the Core Technology Architecture document, which provides TxDOT with an IT architecture that defines the types of software, hardware, and services that are used in TxDOT. The standardization of the types of hardware, software, and services has lowered the operational costs associated with the procurement and maintenance of IT equipment and services.

The Facilities Management and Capital Improvement Program (CIP) are a fundamental component that either directly or indirectly supports the agency's mission and transportation functions and highway operations. The capital improvement budget plan is formulated and submitted each legislative budget year with allocations requested for land and real property acquisitions, construction of buildings and facilities and repair or rehabilitation. All in-house produced construction documents are sealed by professional architects and engineers as required by respective state practice acts. Full architectural services are provided in-house on selected projects and appropriate projects outsourced to consultants. All building projects are designed to meet TxDOT architectural design standards, state building codes, state and federal regulations, and ADA and the Texas Accessibility Standards (TAS). This program has improved communication with the 25 districts statewide by assigning Project Managers (PM) as the "regional representatives" to two or three districts for the CIP Branch. Having a single point of contact between MNT-FM and the districts has strengthened communication, coordination and overall working relationship with district customers and improved effectiveness of technical assistance delivery. A Facilities Coordinators breakout session is conducted at the annual MNT conference with all the district reps in order to improve working relationships and networking and discuss policies and procedures, project status, current issues and lessons learned.

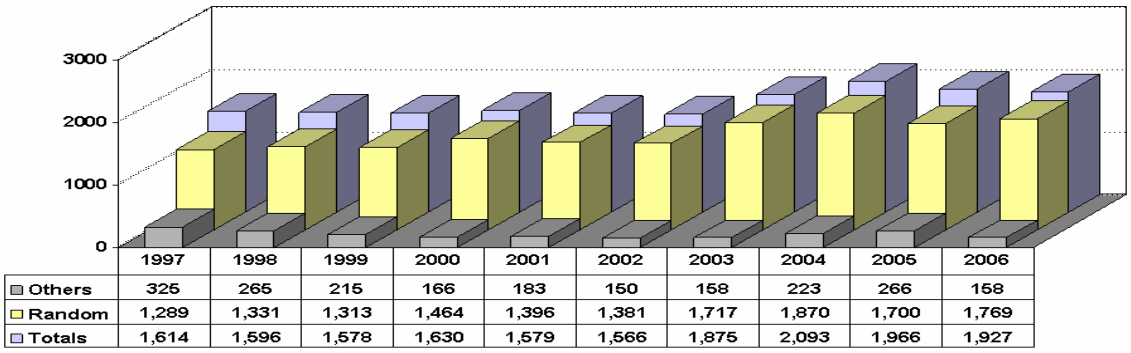
In regard to the Substance Abuse program, the effectiveness of any statutorily mandated function would have to hinge primarily on a person's ability to fully comply with the required standards. Historically, the DOT and U.S. Coast Guard regulations were distinct and different. However, since 2001, they have been combined into a single standard applicable to all parties.

Alcohol testing is not required for pre-employment physicals due to the short testing span of alcohol in the system and the ease at which results may be skewed. In the alternative, extensive random testing for alcohol abuse is maintained by TxDOT. The number of positive alcohol tests

has always been very low and federal regulations would allow the department to cut its alcohol testing in half; however, due to the success of the department's testing and cost considerations of cutting the overall program, the department continues with its random testing for the full count.

Substance Abuse

Number of Alcohol Tests Completed per Fiscal Year



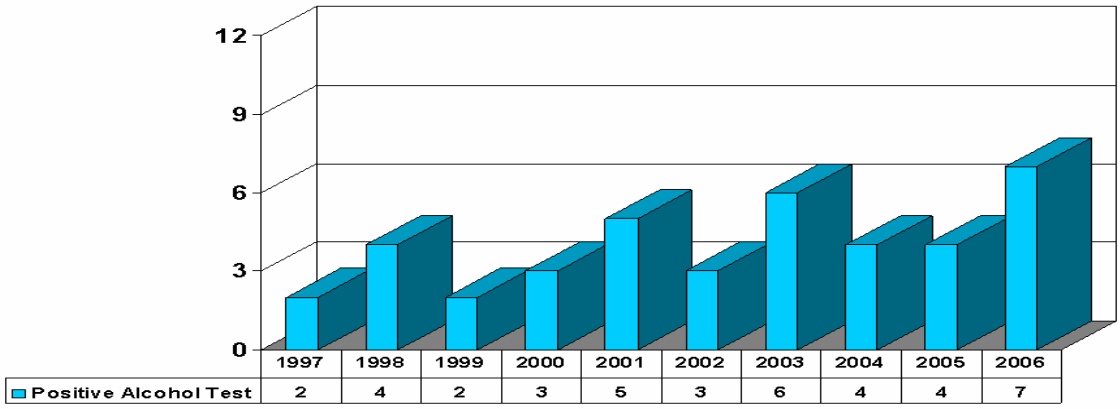
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Others	325	265	215	166	183	150	158	223	266	158
Random	1,289	1,331	1,313	1,464	1,396	1,381	1,717	1,870	1,700	1,769
Totals	1,614	1,596	1,578	1,630	1,579	1,566	1,875	2,093	1,966	1,927

Occupational Safety Division, Texas Department of Transportation

As the graph (shown below) indicates, the number of positive alcohol test has remained very low over the last 10 years, with a low range of two per year, to a high of seven during 2006. Even with the unexplained increase for 2006, the overall positive percentage has remained extremely low since the department began testing its employees for alcohol. During the first year of testing and after the new tests were publicized very heavily among the employees, several employees came forward to ask for assistance on their drinking problems. A proper referral to the department-sponsored Employee Assistance Program (EAP) helped those employees and has continued to help employees in various ways since that time. The EAP is managed by the department's Human Resources Division and is not associated with the Occupational Safety Division.

Substance Abuse

Number of Positive Alcohol Tests



	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Positive Alcohol Test	2	4	2	3	5	3	6	4	4	7

Occupational Safety Division, Texas Department of Transportation

The department's substance abuse program functions do not only comply with the department's own drug/alcohol regulations, but also comply with federal regulations for commercial drivers and vessel crew members. Another clear indication of the effectiveness of TxDOT's program is that audits, regularly held by the U.S. Coast Guard (last one in 2006) and other transportation officials have always found TxDOT to be in full compliance with all rules and regulations.

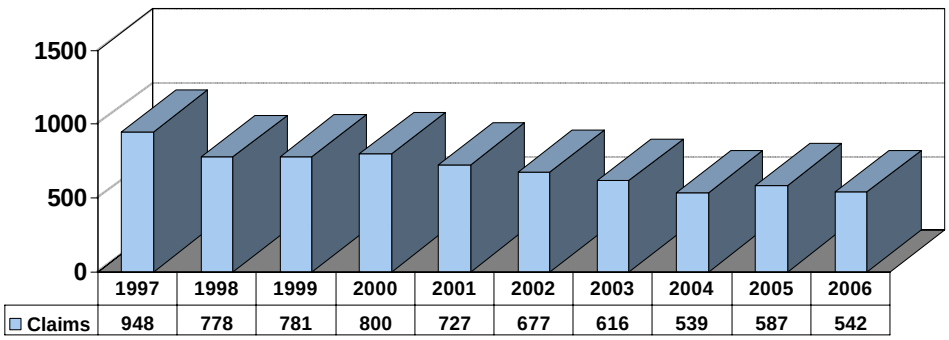
In relation to the Safety and Industrial Hygiene Section, over the last 17 years the department has gradually, but consistently, reduced on-the-job injuries, lost-time incidents and recordable vehicle incidents. The ten-year history indicates significant reductions in all three recordable areas – All Injuries, Lost Time and Vehicle Incident. For comparison purposes in 1991, TxDOT recorded 1,522 injuries, 669 Lost Time, and 626 recordable vehicle incidents. For FY 2006, TxDOT recorded 477 injuries and 232 lost time, and 513 recordable vehicle incidents. The significant reductions are a compliment to the hard work and dedication of all TxDOT employees.

The agency has been self-insured for workers' compensation since 1938 and has evolved through the years to incorporate a very effective workers' compensation and risk management program. The department has a unique accident and injury exposure due to its work. It has over 14,500 employees, of which an estimated 6,500 are routine maintenance workers. These employees must work on or near the roadway and regularly perform manual labor, making them at an unusually high risk for injury. The department operates over 8,000 vehicles and several thousand pieces of heavy equipment that are out on the state's highways in all types of weather and traffic conditions. No other state agency is faced with this kind of exposure. Yet even facing a much higher exposure in one of the most risky fields, TxDOT has managed to keep their medical cost lower than most other private and public insurance carriers. The last comprehensive study on cost was completed by TDI in 2004, and the results are shown below.

Medical Cost per Claim – All Injuries	1999		2000		2001	
	Mean	Median	Mean	Median	Mean	Median
TxDOT Cost per claim for Workers' Compensation	$1,773	$294	$2,080	$327	$1,940	$407
Other Insurance Carriers Providing Workers' Comp	$2,634	$372	$2,494	$392	$2,850	$461

Source: Texas Department of Insurance Workers' Compensation Research Workgroup, 2004. Note: "Other" represents all other private and public insurance carriers, excluding the University of Texas, Texas A & M University and State Office of Risk Management.

The success of the department's functions can be easily seen from the historical data between 1991 and 2006. In 1991, there were 1,498 reported injuries compared to 542 in 2006. These figures show the success the department's programs and functions have accomplished by working together as a unit within OCC. The number of reported claims has dropped by 63.82 percent since 1991 – something OCC, and specifically the workers' compensation and safety sections, are very proud of. The following chart clearly shows the results of two programs, working together for one basic, very important function – the reduction of injuries to the department's employees. The attached chart only shows the last 10 years of success in decreasing reported employee injuries, but the results are just as striking, with an overall reduction in reported claims from 948 in 1997 – to 542 in 2006 – an overall reduction of 46.62 percent.



For Tort and Liability, the department purchased insurance to cover the liability of our vehicles and equipment from 1970 to 2002. The premiums have increased through the years. From 1997 to 2001, the department paid an average of $2,334,000 for this insurance. In 2002, there was a proposal to increase the premium to $3,200,000. Due to this proposal, a decision was made by OCC Division and approved by TxDOT Administration to become self-insured for liability claims. In the first five years we have been self-insured, the average payment of claims has been just over $1,300,000 per year, indicating a savings of close to $2,000,000 per year. This can be attributed to better control over claim investigations and settlements.

Since Contract Services became a part of the agency's General Counsel, no contract reviewed by CSS has been challenged. In addition, General Counsel works closely with Comprehensive Development Agreements. A CDA is an innovative method used to finance transportation projects to accelerate the construction of badly needed roads in the state. By using private investment, the state highway fund remains intact and the transportation assets of Texas are increased. An example of the effectiveness and efficiency of the CDA program is the recent finalization of the facility concession agreement for the SH 130, Segments 5 and 6 project. TxDOT had been unable to complete these segments because of a lack of state funding and was unable to issue toll revenue bonds (municipal bond investors) because its traffic and revenue studies showed an insufficient level of traffic to support the amount of debt needed to finance the project. A concession company will typically finance a project using a mix of debt and equity, which generally results in a greater amount of financing available for a project than is available from municipal bond investors. In the case of the SH 130, Segments 5 and 6 project, Cintra-Zachry obtained sufficient financing to pay for the project. The agreement negotiated by TxDOT requires Cintra-Zachry to provide the necessary financing to complete the toll road from Austin to Interstate 10 in Seguin. Cintra-Zachry will also pay for the necessary right of way for the project with the title of any property purchased to be held by the state. This removes the financial burden, estimated at $120 million, from Caldwell, Guadalupe, and Travis counties. It also allows the construction of a needed project much sooner than when TxDOT would have been able to construct the project. The terms of the agreement give the state at least a $25 million in an upfront concession payment that is to be used on projects in the Austin–San Antonio region, and a share of the toll revenue, beginning with the first dollar earned, over the next 50 years, which is estimated to be $1.6 billion. Additionally, the agreement transfers to Cintra-Zachry key risks, such as construction cost, overruns, construction delays, traffic and revenue risks, and financial

risks, including the risk that traffic and revenue will be sufficient to repay the debt and equity used to finance the project.

As for Property Management, during FYs 2002 -- 2006 the sale and exchange of TxDOT's surplus real property assets generated revenue of $30,993,000.00 to the credit of the state's General Revenue fund. During the same period, the leasing of TxDOT's surplus right of way generated $3,100,000.00. This property management function is the only revenue generating function in TxDOT besides those in the Motor Vehicles Division. In addition, approximately 2000 parcels of land are acquired for highway projects each year. Nearly 85 percent of these property acquisitions are accomplished by obtaining voluntarily negotiated deeds from the property owners, and only 15 percent are acquired through the use of the eminent domain process.

The department's Research and Technology program provided a detailed analysis of the top 21 products produced by the program from 1999 through 2001 calculated a return on investment of 5:1 for the program. The total research budget for those years was approximately $54 million. Operational costs savings from the 21 products analyzed were projected to be $322 million over a 10-year period. In addition, lives that would be saved over the 10-year period were projected to be 245, while almost 25,000 accidents were projected to be avoided.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Internal Audit function was established in the agency in 1971. In 1975, that function was extended to the agency's divisions and districts. In 1984, TxDOT adopted the Professional Standards of the Institute of Internal Auditors (IIA). In 1989, the Texas Internal Auditing Act took effect (i.e. Government Code, Chapter 2102) requiring compliance with the IIA Standards.

Prior to the single audit concept, External Audit performed audits on pass-through federal grant programs on a contract basis. This changed with the issuance of OMB Circular A-102 entitled Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments. This circular included requirements prescribing standards for financial management systems of grant-supported activities of state and local governments. It was also required that audits be made by the grantee to determine the fiscal integrity of financial transactions and reports, and compliance. This provision put in place one of the basic tenets of the single audit concept, that grantees are responsible for having themselves audited and federal agencies should rely on those audits. OMB issued Attachment P to Circular A-102 which required the first organization-wide audits. Despite OMB's efforts to improve audit coverage of federal assistance programs, it was still clear that the single audit concept was not being effectively implemented. Frustrated with the lack of effective implementation of the single audit concept, Congress passed the Single Audit Act of 1984, which provided statutory authority for the single audit process. Now, the majority of grant programs are covered by these single audits and we place reliance on the results of these audits as opposed to performing an audit on each individual contract.

The objectives of the Finance Division probably have not changed from the original intent, but the scope of those functions and the tasks necessary to accomplish them have increased greatly from the original. In addition to the changes necessitated by the expansion of the scope and tasks, many changes have resulted from implementation of new technologies and more efficient ways of performing old tasks. More efficient ways of performing old tasks includes changes from the way documents are delivered/distributed to the way signatures are obtained and much more.

The Government and Business Enterprises Division/Government and Public Affairs Division is the product of an evolving recognition on the part of agency leadership that TxDOT must effectively present its statewide programs and policies to a diverse pool of public- and private-sector stakeholders. The foundation of GBE/GPA is the Legislative Affairs Office (established in 1993), which focused its efforts on educating and informing the state and federal legislative audiences and their constituencies about TxDOT issues. As TxDOT leadership realized the need to expand the department's outreach to others who can aid the agency's efforts to solve the state's transportation challenges, the Commission and Administration created the Government & Business Enterprises Division in 2005. GBE included the state and federal efforts of the former LAO and added the Marketing and Research Sections. The creation of the GBE Marketing Section represented a broader agency emphasis on reaching out to private-sector interests through the implementation of targeted marketing strategies for TxDOT programs and initiatives. The creation of the GBE Research Section provided a strategic transportation policy information and analysis resource for department leaders. The next step in the necessary evolution of the office was the creation of the Government and Public Affairs Division in July 2007. The GBE functions continue, enhanced by the addition of the Media Relations and Strategic Communications functions of the former Public Information Office. The new GPA Division consolidates in one place the agency's internal and external communications on key department policies, programs, and statewide initiatives.

Over the past 20 years, the purchasing function has seen a dramatic change from a completely centralized system at TBPC (with an authority of $500 delegated to TxDOT) to a greatly decentralized system with delegated purchasing authority to $25,000 for commodities and unlimited value for fuels, non-professional services, information systems, and telecommunications resources. The purchasing function has also seen a quantum leap in advancement from a typewriter-oriented manual process to use of automation resources. TxDOT was one of the first agencies to have a totally automated purchasing system that ties into the financial, inventory, and capital systems. TxDOT was also one of the pilot agencies who participated in on-line bidding and response in preparation for E-Procurement, though the pilot program was later cancelled by the sponsoring agency. Purchasing personnel qualification requirements have changed drastically during the same period. Professional development training and purchaser certifications have resulted in a purchasing staff that is the best trained and qualified of any state agency, with the vast majority of purchasers holding professional certification. GSD Purchasing has also developed a series of innovative purchasing methods, both in the purchase of non-professional services and purchase of commodities that have been emulated by other state agencies, and other purchasing jurisdictions outside the state.

Since its inception in 1985, Fleet Management's role in overseeing the equipment fleet has evolved to include the alternative fuels program, beginning in 1991, and more recently, air quality initiatives. Even the alternative fuels program has changed from its initial focus on gaseous fuels, such as compressed natural gas and liquefied petroleum gas, to bio-fuels and hydrogen. TxDOT has participated in numerous research projects concerning the fleet with initial focus in the early 1990s on equipment management and operations, to alternative fuels, and emission reduction strategies today.

In 1994, TxDOT enhanced its already mature recycling efforts by establishing a formal program headed by a full-time recycling coordinator. This initiative led to expanding the number of items and quantity TxDOT recovers from its operations. Since inception, the Recycling Program has helped coordinate research and demonstration projects on roadway use of a long and diverse list of recycled materials, funded largely by the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ).

A major Recruitment Program change in 1999 allowed for the establishment of recruitment teams throughout the department. These team members, one per regional office, work closely with our recruiters located at the main headquarters recruiting office in Austin. This arrangement has been beneficial to the department at the local level.

The Border Governors Conference was first held in 1980 in Ciudad Juarez. Since that time, its function has remained consistent; to provide an opportunity to the ten border states to work together to enhance efficiencies at the border. Since the implementation of NAFTA, the purpose of the conference has become more significant. While the first conference had merely five worktables, the current composition of the conference consists of 12 working tables as follows: Agriculture & Livestock, Border Crossings, Economic Development, Education, Energy, Environment, Health, Science & Technology, Security, Tourism, Water and Wildlife. Clearly, the scope of the issues addressed by the states has expanded substantially.

The Interagency Work Group on Border Issues was created by House Bill 925 of the 79th Legislature. HB 925 codified a group that had been meeting for several years. The Texas Border and Mexican Affairs Division of the Secretary of State's Office had previously established a State Agency Advisory Roundtable on Border/Mexican Affairs (Advisory Roundtable) for the purpose of identifying common interagency border concerns. This group became the Interagency Work Group on Border Affairs. The Strategic Investment Commission (SIC) was also created by HB 925 to look at commerce between Texas and Mexico, interactions with federal agencies, efficiencies at border crossings, as well as a variety of other issues related to international trade with Mexico.

Formed in 1981, the U.S.-Mexico Bi-national Bridges and Border Crossings Group is composed of delegations from the federal and state governments of the United States and Mexico that have interests at the border. The U.S. Department of State's Coordinator for U.S.-Mexico Border Affairs chairs the U.S. delegation, while the Secretaría de Relaciones Exteriores (SRE) Director General for North American Affairs chairs the Mexican delegation. U.S. and Mexico border state representatives have been included in the sessions since 1994. With NAFTA in place as of January 1, 1994, and with the increase in border issues and crossing congestion, participation by both countries' governments [state/federal] has become increasingly important. Initially the group mostly dealt with the permitting process for the border crossings and met twice a year on a border-wide level. However, with the increased congestion and security issues that have taken priority in last few years, the group has evolved and has taken on more responsibility to help alleviate the variety of growing problems at the border, such as inspections, highway/rail access, construction of facilities, environment, border security, corridor connectivity and inspection facilities. The biannual meetings have evolved and regional meetings have been added for each U.S. state, and the neighboring Mexican state(s), to directly focus and address border issues at the state/local level. The IRO has been instrumental in facilitating resolutions between the U.S. and Mexican entities to various infrastructure and operational issues at the border crossings. Additionally, the IRO works and meets regularly with the border districts to address and assist in resolving issues that surface at the group's meetings.

Facilities Management, formerly organized and under the name "the Buildings Section", has historically provided an in-house core of professional and technical support staff that has been responsible for centralized strategic planning, asset management, policy making, design standards, program implementation and management of all TxDOT buildings and facilities statewide. Safety rest areas were first built in Texas in 1968. In the early 1990's, safety rest area projects were contracted to meet the requirements of the Americans with Disabilities Act (ADA).

In 1999, the Texas Transportation Commission chose to use Federal Transportation Enhancement Funding to update and upgrade Texas' safety rest area system, after the department began receiving complaints from the public that the rest area facilities were old, out-dated and in need of repair. The intent remains the same as the original; to provide a highway safety feature and shelter for travelers.

The alcohol and drug testing program originated within the department in December 1989 when the Coast Guard mandated substance abuse testing on vessel crewmembers (ferry boats) for pre-employment, post-accident, random and reasonable cause. In January 1995, the DOT issued orders for the substance abuse testing of commercial drivers for pre-employment, post-accident, random, and reasonable cause. In February 1996, the Highway Commission passed rules requiring substance abuse testing of all safety-sensitive employees for pre-employment and post-accident. The regulations and rules of TxDOT, the DOT, and the Coast Guard were separate and distinct for several years before they finally merged into a single source of rules in 2001.

TxDOT has had an employee related hazardous materials program since 1982. Authority for TxDOT's Hazardous Materials Program comes from the Texas Hazard Communication Act, Chapter 502 of the Texas Health and Safety Code and the Federal Code of Regulations, Title 49, Transportation. Several of the original functions of this section, such as hazardous waste management, spill response/remediation, storage tank registration, etc. were re-assigned to the Environmental Affairs Division during 1991-1992.

The agency has had an employee safety program since 1938. The authority for the department's employee safety program is found in Chapter 505, Title 5 of Texas Labor Code. The function has not changed from its original intent.

The Texas Highway Department was originally created by the legislature in 1917. The legislature gave the department the right to insure its employees for workers' compensation for the first time in 1938. The function has not changed from its original intent. The employees of the workers' compensation section of OCC provide the department's injured employees with the best medical care possible to insure that the injured employee and their family has a reasonable income, through workers' compensation income payments, while the employee is recuperating from their injuries.

In 1970, with the passing of the Texas Tort Claims Act, Texas Civil Practices and Remedies Code, Chapter 101, TxDOT became self-insured for Tort claims and began purchasing vehicle/equipment liability coverage from an outside insurance company. The most significant change was becoming self-insured in 2002 regarding liability claims. The intent did not change, but the service to our customers has improved. Additionally, legislation was passed in 2003 allowing the department to pay liability claims under $10,000 without going to the governor for approval. This has improved the department's ability to serve the public when there is a claim to be paid.

Contract Services was created in 1981. Its duties included standardizing contracts, ensuring uniformity and compliance with laws, and developing contract procedures. It moved between divisions of TxDOT until 1998, when it was reorganized and became an independent office. The Contract Services Office established contracting policies that remain in effect today, including Contract Services' responsibility for department signature authority, and the development of contracting resources, such as contract templates, the Contract Management Manual, Contract Services intranet site, negotiated contracts conference, and negotiated contracts training. In 2003, Contract Services became a section within the Office of General Counsel. CSS has 13 employees

divided into two teams, one of which primarily handles contracts with private entities, and one of which primarily handles contracts with other governmental entities. It oversees the creation and administration of negotiated contracts. Recently, CSS has become more active in negotiating large contracts.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

All of TxDOT's operations are subject to audit and the Internal Audit function affects any of those operations that are audited. There are no qualifications/eligibility requirements or statistical breakdowns applicable.

The Finance Division affects every employee, vendor, and function of TxDOT, which is surely true of any and all finance organizations. Every program and function is also affected by one or more of the key functions of this division, including budgeting, collecting, paying, and recording.

Purchasing is responsible for overseeing the acquisition of goods and materials, supplies, equipment, and non-professional services required by the department for the maintenance and construction of highways, and to support all other operational areas of the department. It is also the subject matter expert, providing advice and guidance to the district purchasing offices. It supports TxDOT's commitment to doing business with disadvantaged business enterprises (DBE) and historically underutilized businesses (HUB) in delegated purchasing actions.

Fleet Management provides administrative support to the districts for fleet management and equipment operations through the District Equipment Administrator. The primary customers are TxDOT personnel involved in highway construction and maintenance with vehicles and equipment in over 300 locations in the state. TxDOT's equipment replacement model (TERM) is used by other state agencies as a guide for equipment replacement.

Primarily, the Recycling Program focuses on serving department employees and prepares reports for the Comptroller's Office and TBPC. In addition, the Program provides useful information for national, state, and local agencies as well as TxDOT's recycling service providers, construction and maintenance contractors, and material suppliers.

The Violence Prevention Program applies to all employees, full-time, part-time, probationary or temporary appointment, who work for the department and encompasses all worksites.

The Recruitment program affects all department operations and the Management Staff Development Training Programs affects all department employees.

The Engineering Assistant Development Program affects department employees with job classification title of E270 Engineering Assistant I, E275 Engineering Assistant II, E277 Engineering Assistant III, E278 Engineering Assistant IV, E279 Engineering Assistant V for those testing for the Professional Engineering examination. Persons in these job classifications must have a bachelor of science degree in engineering technologythat has been accredited by the Technology Accreditation Commission Board for Engineering and Technology (TAC/ABET) or certified as an Engineer in Training by the Texas Board of Professional Engineers.

The Border Governors Conference affects local, state, federal entities, the traveling public, persons living on both sides of the border and those traveling across the border.

The Bi-national Bridges and Border Crossings Group impacts border planning. The group's dialogue provides information regarding timelines on projects on either side of the border that impact traffic, economics, and infrastructure. In order for the flow of traffic, people and goods to operate smoothly, it is critical to ensure U.S. and Mexican infrastructure compatibility at the border. As described in section "J", the participants on the group range from the federal to the local levels; they are individuals are qualified to comment and, in some cases, make decisions regarding projects and funding issues. This forum provides an opportunity for project prioritization to be discussed; what may be a priority for one side of the border may not necessarily be a priority for the other. It is within the context of this forum that it is decided what projects should proceed and which should be reconsidered. Without the presence of all these entities in one meeting location, project congruency at the border would be a greater challenge than it is currently.

The major activities performed under the facility programs were established to support all agency personnel that design, operate and maintain the highway system statewide by providing a healthy, safe, secure and comfortable work environment. The traveling public is provided with safe and comfortable Safety Rest Areas, Travel Information Centers, Border Safety Inspection Facilities, and Toll Road Customer Service Buildings. This is achieved by constructing replacement facilities and maintaining and sustaining agency resources through life cycle planning for long term improvement, energy efficiency and cost effective use of limited funds.

The Substance Abuse, Hazardous Materials, and Safety and Industrial Hygiene programs affect all TxDOT employees throughout the organization and the traveling public.

The Occupational Safety programs affect all employees and potential employees of the Texas Department of Transportation. Based upon the latest figures from 2006, the total number of full-time equivalent position employees was 14,830, not including summer hires. During the summer of 2007, it is expected that the department will hire an additional 850 summer hires. The Tort and Liability programs affect all employees and the traveling public.

As for Property Management, 90 percent of the sales of surplus real property owned by TxDOT are to private citizens or business entities. This property is placed back on the tax rolls for local taxing jurisdictions. If the sale is to a business entity, sales and franchise taxes are generated. The other 10 percent of sales of surplus real property are to cities, counties, and local school districts. In addition, various tracts of real property must be acquired (purchased voluntarily or acquired through the eminent domain process) to build new highways or expand existing highways. The right of way acquisition function affects both private and public real property owners. The majority of real property interests being acquired impact privately owned properties.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Audit Office is responsible to the Texas Transportation Commission and the TxDOT Executive Director. The policies and procedures governing the internal audit function are documented in TxDOT's Internal Audit Manual. The Audit Office internal audit function adheres to the International Standards for the Professional Practice of Internal Auditing of The Institute of

Internal Auditors and also complies with the Government Auditing Standards published by the Government Accountability Office. An interactive process is used to develop TxDOT's annual internal audit plan. This process identifies the high risk operational areas (e.g. those where an audit will provide maximum benefit to TxDOT). Assessments by the Audit Office internal audit function are made at the department-wide level and cover all the districts, divisions and offices. The staff assigned to each audit are based on staff availability, knowledge and experience. Oversight of the audit work is provided by the Lead Auditors, the Auditor-in-Charge and the Audit Director. Special audits and management-directed reviews are performed as approved by a commissioner or the Executive Director. The activities of the Audit Office are formally reported to the commission on a quarterly basis. Every three years, a team of auditors from outside TxDOT perform a Quality Assurance Review of the Audit Office internal audit function to ensure compliance with the established policies and procedures and professional standards.

The Audit Office is responsible to the Texas Transportation Commission and the TxDOT Executive Director. The policies and procedures governing the external audit function are documented in TxDOT's Internal Audit Manual. External Audit develops an annual audit plan based primarily on past experience. Additional considerations include the volume estimates of projects, anticipated potential changes in TxDOT's operations and changes in audit requirements. Most of the audits included in the plan will be requested during the plan year by the various program managers or by a Division Director or District Engineer. Other audits are performed based on an internally generated risk assessment. The Audit Office generally makes assessments on an individual agreement or entity basis, but the work covers applicable contracts administered anywhere in the department. The staff assignments for each audit are based on staff expertise and experience. Oversight of the audit work is provided by the Manager of the External Audit Section. The activities of the Audit Office are formally reported to the commission on an annual basis. Every three years, a team of auditors from outside TxDOT perform a Quality Assurance Review of the Audit Office external audit function to ensure compliance with the applicable requirements. Note that there are also auditors in the larger divisions and in the districts and they are responsible to their Division Director or District Engineer.

The department's Finance Division is comprised of an administrative office and four sections; each is responsible for one or more of the major tasks/responsibilities of the division as well as numerous other tasks/responsibilities including:

Administrative Staff

- Plans, organizes, and directs the activities of the sections.
- Establishes and maintains department policy and procedures for funds management, claims, and accounting activities.
- Represents the department at meetings and conferences on financial related activities.
- Testifies and respond to questions of the legislature, commissioners and other elected officials.
- Coordinates the preparation of legislative impact statements on fiscal matters.
- Provides automation support to the division and statewide support for document imaging activities.

Debt Management

- Oversees activities related to project bond revenue and other debt issuance and investment of proceeds.
- Manages innovative financing programs, such as the State Infrastructure Bank, toll credits, toll equity, pass-through toll financing, Fund 6 Bonds and Texas Mobility Fund Bonds.

Funds Management

- Develops and maintains the department's cash forecast.
- Coordinates the receipt, deposit and reconciliation of department revenue.
- Provides advice and technical assistance to department personnel, state and federal agencies, contractors and banking institutions on budgeting and revenue related issues.
- Coordinates and monitors the development of budget and full-time equivalent related activity for the Legislative Appropriations Requests, operating budgets, and the quarterly performance measure reports and monitoring the appropriation balances and spending forecast to ensure funds are continuously available.
- Manages the maintenance, operation and enhancement of the department's budget system.
- Analyzes funding and staffing requests and advise TxDOT Administration of the financial implications and the alternatives available.

Accounting Management Section

- Prepares the financial statements for the Department and the Central Texas Turnpike System and responds to auditors inquiries regarding those statements.
- Provides advice and technical assistance to departmental personnel, state and federal agencies on accounting and reporting related issues.
- Prepares various other accounting reports including investment reports, bond declaration reports, cash reports, binding encumbrance reports and statistical reports for FHWA.
- Manages the maintenance, operation and enhancement of the department's accounting system, the Financial Information Management System "FIMS."

Claims Management

- For all Division/Office and Laredo District payments, performs the coordination of the verification of receipt of goods or services, auditing, entry of payment into FIMS, submission of data to the Comptroller of Public Accounts, and maintaining appropriate records for service and equipment supply payments; coordinate work of districts in these areas through policies and procedures.
- Provides advice and technical assistance to departmental personnel, state and federal agencies and contractors on payment and procurement related issues.
- Audits, makes corrections and submits to the Comptroller of Public Accounts the payroll for all TxDOT employees; travel reimbursements for Divisions/Offices, San Antonio and Laredo District personnel; and manages related travel programs (rental cars, Central Billing Accounts, State of Texas charge card, and Travel Advance funds).
- Audits and makes corrections in FIMS, and the related systems, to payments for construction and maintenance contracts.
- Ensures that the maximum amount of reimbursement is received from applicable federal agencies and maintain accuracy of federal accounts receivable balances.

Purchasing is responsible for establishing purchasing-related policies and procedures in the Purchasing Manual. GSD Purchasing provides guidance on purchasing activities for the 25 district purchasing offices.

The Fleet Management Program is centrally administered. Policies and procedures can be found in the Equipment Manual and the Preventive Maintenance Manual.

The Recycling Program manages contracts for recycling services, advises department purchasers on green products, and works with department roadway construction and maintenance staff. In addition, the Program assists the networks of recycling coordinators in districts and divisions in developing and promoting participation in recycling opportunities by providing sample specifications and educational materials. The Program distributes information electronically, at workshops and conferences, and special events. The Program submits information for annual reports to the Comptroller and the TBPC by October 31st and its annual legislative report on scrap tire use to legislators by January 1. In addition, the Program prepares its other annual reports on material recovery and roadway use of recycled materials on a fiscal year basis, usually by Texas Recycles Day.

The primary office of responsibility is the Violence Prevention Program staff in the Employee Relations Section. All reports of inappropriate behavior, harassment and threats of violence are investigated, with appropriate disciplinary action determined and taken according to policy and procedures. Finally, these actions are tracked statewide. All district offices are assigned a Violence Program Manager (VPM) to assist in administering the program within their district. VPMs receive specialized training on the responsibilities and requirements of the program. At the Austin Headquarters, one VPM is located at each of the two HR campus offices to assist the divisions and offices in administering the program. Additionally, all supervisors are required to receive specialized training to assist in making violence determinations. This training includes information about policies and procedures, including reporting, investigations, disciplinary action and security issues.

The Management Staff Development Training Program is administered by one lead worker, five development/instructional staff, and one technical writer. All instructional staff is responsible for specific programs, with oversight from a lead worker and the director of the section. The program uses in-house adjunct instructors for specific maintenance field related courses, and the program for GCMD and AASHTO management schools are administered by support staff. Nominations for attendance are directed by executive administration.

The two co-chair states administer the Border Governors Conference. However, each worktable has two co-chairs, one from Mexico and one from the U.S. Those chairs rotate every one or two years, with Texas last having been chair in 2003. The conference is usually carried out in late summer. Leading up to the conference, the worktables meet three to four times during the nine months prior to the conference, and have conference calls and electronic contact to establish the recommendations and document successes of action plans.

The Secretary of State's office coordinates both the IRO Interagency Group on Border Issues & the Texas-Mexico Strategic Investment Commission program.

The agency's International Relations Office participates on the U.S.-Mexico Bi-national Bridges and Border Crossings Group that is chaired by representatives of the U.S. Department of State and Mexico's Secretaría de Relaciones Exteriores. The group meets biannually, in the spring and fall, with the regional state meetings held throughout the year in the respective states, and an

occasional border walk. Action items regarding various border issues usually come out of the meetings, and are assigned and followed up by the affected entities. Since both U.S. and Mexican government officials are present at the meetings, it is an opportunity for both governments to sit down and draw up needed Memorandums of Understanding regarding construction timelines and other border crossing issues that otherwise would not take place or be delayed.

The information technology function takes direction from the Information Resource Council and the Chief Information Officer, who also serves as the Information Resource Manager, Information Security Officer, and the ISD director. ISD coordinates delivery of information technology services, which are provided by ISD support resources and D/D/O staff located across the state.

Facilities Management and Capital Improvement Programs are centrally administered from the Austin Headquarters offices. The majority of the project design is performed in-house, with professional staff and consultants hired for unique projects that are either more complex and time consuming or exceed program capabilities. Project Managers are involved for the entire project, including design, letting, budget tracking, construction administration and schedule and consultant management. The district representatives perform as liaisons and perform some field services, like providing existing facility conditions and communication and documentation of on-site observation during construction to insure that buildings are constructed in accordance with construction documents and to document activity at the site. Districts also process the general contractor's payment requests after project managers' approval. Safety Rest Areas are researched using local community information and meetings. Designs are prepared by in-house professional staff and assistants, which are assigned specific regions of the state. Plans and specifications are prepared "in-house," while others are prepared using professional consultants when necessary. A typical project takes three years to complete from initial design to construction completion.

The substance abuse office staff is responsible for: administering the policies and procedures for pre-employment physical examinations, arranging the distribution of the drug testing custody and control forms; arranging for the set-up of drug and alcohol collection and testing facilities; negotiating service agreements with physicians, medical facilities and vendors; maintaining the department's medical directory for all doctors that provide services related to drug and alcohol testing; payment of all medical bills for drug testing services; providing training to substance control officers and human resources officers and any other assistance that is needed regarding the testing aspect of the program and the department's physical examination programs (pre-employment physicals, diver physicals and merchant mariner physicals). The office maintains agreements with approximately 300 physicians, statewide, who perform the required pre-employment physicals of all department new hires and, in most cases, will also handle the urine drug collections for the required drug test of new applicants. These 300 (+/-) physicians are maintained on an up-to-date website for use by all districts/divisions statewide.

The Hazardous Materials and Automation functions are administered by the Section Director. The section is comprised of the director, one Safety Officer/Wellness Coordinator, one Internal Review Analyst and one Information Resource Manager. The section operates in accordance with policies and/or procedures established by the Occupational Safety Manual, TxDOT Handbook of Safe Practices, Department of State and Health Services, TxDOT Internal Audit Office, Information Systems Division and Department of Information Resources.

The Safety and Industrial Hygiene functions are administered by a Section Director. The section is comprised of: the director, one industrial hygienist and two safety officers. Section operations are in accordance with the policies and/or procedures established by the Occupational Safety

Manual and the Handbook of Safe Practices. Many of the program policies and/or procedures have been developed as a result of direct legislation or based on federal regulations that apply to department operations. The safety and industrial hygiene section can be divided into three programs: Vehicle Safety, Industrial Hygiene and Employee Safety.

Workers' Compensation functions are administered by a section director. The section is comprised of the director, one claims manager, four licensed regional adjusters, four administrative assistants, one physicals/substance abuse lead worker, two administrative assistants and seven licensed field representatives. The workers' compensation section is primarily made up of insurance adjusters, all licensed by the Texas Department of Insurance. These adjusters have varying tasks. The field representatives (F/R) personally contact any employee who loses time from work due to a reported injury, is involved in a third-party accident involving a member of the public, or is involved in a questionable injury with unique or unusual circumstances.

The Tort and Liability function is administered by a director of the Tort/Liability section. The section consists of the director and four licensed adjusters. Two adjusters handle the tort claims and two handle the liability claims. Governmental agencies have limited immunity eliminating property damage claims per the Texas Tort Claims Act, Section 101.021 of the Civil Practices and Remedies Code. Claims require that notice be filed within six months of the day of the incident. Once notice is received, an investigation is conducted by one of our field adjusters. The investigation requires contact with department employees with knowledge of the incident, local law enforcement and witnesses. The investigation is reviewed by the section director and the Attorney General's Office to determine liability. The claim is denied if there is no negligence on the department. The Attorney General represents the department if the case goes to court.

Property and Resource Management are administered through oversight by the Right of Way Division office in Austin, and through operations management by right of way sections in each of the decentralized 25 district offices as well as by the right of way section in TTA Division.

The transportation research program is managed/administered by the Research and Technology Implementation Office (RTI) from its office in Austin. The work is contracted to Texas state-supported colleges and universities and all contracting is directly managed by RTI. Six research committees (the Research Oversight Committee and five Research Management Committees) made up of TxDOT employees prioritize and select projects for each year's program. The operations of these committees are supported by RTI and Technical Assistance Panels. Several hundred TxDOT employees (field personnel) are involved in project monitoring committees, overseeing the technical aspects of each project. RTI also supports the operations of these committees.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Internal and External Audit functions are funded by the State Highway Fund 6.

The Finance Division (FIN) is involved in one or more ways with every fund source of TxDOT. However, the operations of the division are financed solely from appropriations from the State Highway Fund. Therefore, FIN is involved with all federal receipts of all kinds, but no federal

receipts are directly related to FIN's operations.

The GBE/GPA Division is funded 100 percent from the State Highway Fund 6.

Purchases are made using the appropriate funding source for the goods or non-professional services needed. GSD purchasing operations are funded by Highway Fund 6, strategy 603.

GSD fleet management functions are funded by Highway Fund 6, strategy 603. The purchase of major equipment is funded from the capital equipment strategies.

GSD Recycling Program operations are funded by Highway Fund 6, strategy 603. Periodically, through competitive processes or negotiated agreements, the Recycling Program has secured outside funding from the TCEQ, EPA, or FHWA for research or demonstration projects on roadway use of recycled materials.

Strategy 601 is used for the Violence Prevention and Recruitment programs. Strategies 105 and 601 are the sources of funding for the Management Staff Development Training Programs.

Strategy 101 and 601 are the funding sources for the Tuition Assistance program, and Strategy 101 for Engineering Assistant Development program.

Each state's Governor's office pays for the Border Governor's conference and state DOTs pay for worktable members' travel (Fund 6 for IRO).

All funding for the department's Information Services function comes from Fund 6.

Capital Improvement projects are funded by appropriated Fund 6 except where federal funding supplements construction costs for Safety Rest Areas, Border Safety Inspection Facilities (BSIF's) and Travel Information Centers. The Federal Intermodal Surface Transportation Efficiency Act provides use of transportation enhancement funds for safety rest area projects. These federal funds are matched 80 percent federal to 20 percent state.

Fund 6 provides funding for all the Occupational Safety Division programs, which include the Substance Abuse Testing Program, Hazardous Materials Program, Employee Safety & Industrial Hygiene Program, Self-insured Workers' Compensation Program and Administrative & Tort Liability Claims.

Civil Rights functions are funded from Strategy 601 Administration of Fund 6.

General Counsel functions are funded by the General Appropriations Act -- FY 2008-09, General Revenue and State Highway Fund 6.

The Property Management Program is funded by Fund 6.

The Research Program is funded through Strategy 116 in TxDOT's appropriation. Approximately 80 percent of expenditures are reimbursed by FHWA under the federal State Planning and Research (SPR) program. The remaining expenditures are covered under Fund 6. The research program appropriation for FY 2007 is $22,264,369. The implementation program is funded through strategy 101 in TxDOT's appropriation, with the FY 2007 appropriation set at $5,000,000. Approximately 80 percent of expenditures are reimbursed by FHWA under the federal SPR program, with remaining expenditures covered under Fund 6.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The State Auditor's Office (SAO) and TxDOT's division and district auditors provide similar audit functions for the agency. The SAO conducts audits of the agency but they develop their own annual audit plan that focuses on the state of Texas as a whole. The division and district auditors conduct audits also, but they develop their own annual audit plans that focus on their specific division or district. The district auditors may also perform cost evaluations and the main responsibility for these evaluations is at the local level.

GBE/GPA has identified two areas that provide parallel/supporting functions, but are not duplicative. TxDOT's federal consultants assisted with matters vital to the state and TxDOT, including passage of SAFETEA-LU and support for hurricane and wildfire related issues. The consultants provide additional resources, particular skills and access, which has proven vital to success on the federal front. The program and policy changes sought by TxDOT and secured with the assistance of the federal consultants in SAFETEA-LU (HR 3), are estimated to be valued at no less than $20 billion over the next several years. And in addition to the Research Section of GBE/GPA, TxDOT has a Research and Technology Implementation Office (RTI), which is charged with implementing the federally funded transportation research program. RTI was also responsible for research in the transportation policy arena. TxDOT Administration determined that transportation policy research is more appropriately housed within central administration and should be separate from the federally funded program. The decision to remove transportation policy research from RTI focuses the RTI research program on fundamental engineering and planning and places policy research under the direction of the commission and executive administration. The GPA Research Section conducts policy research using either in-house, consultant, or university contracts. The university contracts might be viewed as similar to the RTI research contracts, since the RTI research program is conducted completely by the state-funded research universities in partnership with TxDOT. RTI research contracts are for longer-term engineering and planning oriented tasks that lead to program or project deliverables for use at the field and division levels within the department. GPA research contracts are typically for short-term, policy-oriented questions that lead toward policy recommendations for decision makers. GPA research uses Interagency Contracts to procure services with the universities and uses blanket purchase order contracts to procure services with consultants.

In relation to purchasing, TBPC processes procurement requests which exceed the purchasing authority delegated to TxDOT. District purchasing offices process procurement requests within the district's delegated purchasing authority.

The Texas Building and Procurement Commission's (TBPC) Office of Vehicle Fleet Management (OVFM) has statutory authority to administer the state's fleet management database (FleetFocus) of agency fleet data. OVFM reviews the data to monitor policies set forth in the State Vehicle Fleet Management Plan such as minimum use, percentage of alternative fuel vehicles, and fleet size – all of which are reviewed and monitored internally in TxDOT, as well. "FleetFocus" does not allow for tracking of 40 percent of TxDOT's equipment. TxDOT's equipment management system allows for tracking of all equipment and provides downloads to TBPC's system to meet reporting requirements. The data in "FleetFocus" is just a historical snapshot since agencies are only required to submit data once a month.

Although no other programs provide identical services or functions, the Recycling Program works with several other state and national agencies and organizations to achieve its goals. None of these groups, however, are focused on TxDOT employees specifically. At the national level, these include the FHWA Recycling Team, the Recycled Materials Resource Center, and many other trade groups that develop information useful to state departments of transportation on roadway use of recycled materials. Within Texas, the Recycling Program works with the TCEQ, the Comptroller's Office, and several state and local agencies and organizations, notably Keep Texas Beautiful and the Recycling Alliance of Texas, to exchange information for each others' purposes.

There is no other Border Governors Conference such as this in the southern part of the United States; however there is a similar entity on the Canada-U.S. border.

Most state agencies that deal with border programs participate in the Interagency Group on Border Issues and the Texas-Mexico Strategic Investment Commission Program. However, all agencies deal with their own programs.

The U.S.-Mexico Bi-national Bridges and Border Crossings Group is the only group that solely focuses on the border crossings and provides the opportunity for dialogue between U.S. and Mexican delegates regarding these crossings. Each U.S. border state has its own representative(s) attend; however, TxDOT participation and representation on this group is and has been the only consistent Texas state presence at these meetings.

Some Information Technology activities may be duplicated at a general level by other agencies, such as purchasing, human resource management, database administration, information security, and application development and support. However, these activities have been tailored to support TxDOT's customized engineering, business, and information technology functions and applications, which mean at an operational level, other agencies do not provide identical or similar services and functions.

The Texas Building and Procurement Commission (TBPC) has statutory authority to implement facility design and construction programs for small, designated state agencies statewide, including space planning, leasing, renovation and other facility support functions. The TBPC receives funding for land acquisitions; however, the statutory control is held by the General Land Office (GLO). TxDOT currently retains all inventory records for real property and is exempt from the Natural Resource Code. The GLO is not responsible for maintaining the inventory records, as provided by Section 31.154, of the real property administered by the TxDOT. This exemption is also granted to an institution of higher education, the Employees Retirement System of Texas, or the Teacher Retirement System of Texas. The agencies administering the real property shall maintain those records.

Some functions of the OGC and the Transportation Division, Attorney General are related but are not identical. The AG's Office handles litigation concerning transportation issues, and OGC handles all other transportation matters. OGC provides litigation support for the AG's Office on rare occasions with an assistant AG requesting assistance with a legal issue or concept with which OGC attorneys are familiar; OGC may perform some limited legal research. Service of process on an out-of-state defendant is a function that is split by statute between OGC and the Secretary of State's Office but perhaps should not be. In most cases, when a lawsuit is filed in Texas and the defendant resides out of state, the law allows the plaintiff to serve the papers on the Secretary of State, who in turn forwards the service to the defendant's out-of-state address. The Secretary of State charges a $40 fee for handling the service, plus a $10 fee to issue a certificate of its

compliance for the plaintiff to file with the court. An exception to this procedure is provided by Subchapter D, Chapter 17, Civil Practice and Remedies Code, which requires the Chairman of the Transportation Commission to accept service for out-of-state defendants in lawsuits arising from car wrecks that occurred in Texas. The statute authorizes the department to charge a $25 fee to issue a certificate but no fee for receiving and issuing the service itself. (The $25 charge was set in 1929 and is now inadequate to cover the department's costs.)

In relation to Property Management, the Asset Management Division of the Texas General Land Office sells and leases land owned by state agencies other than TxDOT and state universities. This function is similar to TxDOT's program, except that the General Land Office can develop state-owned property with private developers and can lease state land for commercial purposes. TxDOT does not have the statutory authority to develop property with private entities.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The SAO's audit activities pertaining to TxDOT are coordinated through the Audit Office Director. Complaints received by the SAO Hotline that pertain to TxDOT are communicated to the Audit Office Director and are addressed by TxDOT. In addition, incidents where there is reasonable cause to believe that unlawful conduct has occurred in TxDOT are reported by the Audit Office Director to the SAO.

The TxDOT Division and District audit plans are incorporated into TxDOT's annual audit plan to ensure that the audit coverage statewide is as complete as possible without duplication of effort. A copy of the FY 2006 Audit Plan is provided (see Fiscal Year 2006 Audit Plan, dated August 16, 2005). The division and district audit reports are summarized and reported to the Texas Transportation Commission by the Audit Office on a quarterly basis. The Commission Report for the 4th Quarter of Fiscal Year 2006 is provided (see Status of Internal Audit Activities, dated September 8, 2006).

The manager of the GPA Research section sits on the Research Management Committee for Transportation Planning issues within the RTI Research Program. RTI and GPA Research staffs coordinate their activities in this area to avoid duplication and conflict between the two programs. If a GPA research project leads to a longer-term transportation planning research need, GPA Research will feed the resulting task back into the RTI Research Program review process for handling, as appropriate. Similarly, the RMC will review all project proposals in the RTI Research Program and direct any purely transportation policy issue to GPA Research to handle. In addition, GPA Division staff members serve as project advisors on RTI Research Program projects, providing appropriate policy inputs into the formal research program. TxDOT Administration oversees and provides direction to both programs.

TBPC is the central purchasing authority for the state. TBPC delegates certain purchasing authority to state agencies under the State Purchasing Act (Subtitle D, Title 10, Texas Government Code) and through TBPC purchasing rules (1 TAC Sections 110-126). This delegated authority prevents duplication of efforts.

Fleet Management coordinates with TBPC-OVFM regularly regarding data transmission quality. TBPC-OVFM annually assesses a fee for the use of "FleetFocus," with the amount being based on the number of units reported in the database; this is executed through an interagency contract.

The Recycling Program adapts materials developed by organizations listed in Question H for TxDOT's purposes. In addition, the TxDOT Recycling Program shares information about TxDOT with these organizations to help them advance their objectives.

The Management Staff Development Training Program includes attendance and interaction with members of the State Advisory Coordinating Committee – Training and Development Sub-committee (SACC – T&D). Common skill set training deliverables and best practices are shared at monthly meetings and at an Annual Governors Center for Management Development conference. Examples are best practices in New Employee Orientation training, soft skill training (management, leadership styles) and common safety training such as Hazardous Communications.

To ensure proper application and understanding of the rules, the ERS sponsors an annual Benefits Coordinator Conference, as well as year-round training and various job aids, designed to assist state and Higher Education Benefits Coordinators, HR staff, payroll officers, etc. to ensure end users have the tools and resources necessary to be successful. Additionally, the ERS has a website dedicated to Benefits Coordinators to further address and assist with the challenges unique to this job function/role.

Information Technology activities are coordinated with other entities based on statute, statewide policies, and department policies as appropriate. Committees, task forces, and project teams are established as necessary between entities to avoid duplication of efforts. On a national level, ISD coordinates with AASHTO, NGS, and other departments of transportation.

Facilities Management coordinates some applicable program functions, such as space leasing, to avoid duplication or conflicts in rules and statutes by following policy and procedures when dealing with interagency and other district/divisions. The State Agency Energy Advisory Group (SAEAG) provides a forum for various departments to meet and share experiences and results in energy conservation initiatives and procedures. TxDOT adheres to the policies and procedures for leasing real property through the TBPC. Agency needs and requests are submitted as required by policy. TxDOT, in cooperation with the GLO, has negotiated an Interagency Agreement Contract (IAC) to purchase natural gas for the Austin Headquarter Campuses.

OCR conducts internal Title VII discrimination and non-discrimination grievance investigations. Complaints filed externally by TxDOT employers are investigated by the U.S. Equal Employment Commission and by the Texas Workforce Commission, Civil Rights Division. The Attorney General assists TxDOT organizations with responses to external complaints along with OCR assistance if requested.

From time to time, there may be confusion among new employees of the AG's Office as to the functions of OGC and those of the AG's Transportation Division, but those missteps are quickly corrected by management at the AG's Office. Overall the lines of demarcation are clear and work well. OGC is deliberate in communicating with the AG's Transportation Division. OGC's Comprehensive Development Agreement attorneys hold regular meetings, which representatives of the AG's Transportation Division often attend. OGC shares with the AG's Transportation Division copies of OGC's opinions that are of particular interest to the division.

As for Property Management, TxDOT and the Texas General Land Office do not sell or lease any of the same right of way or land, so there is no duplication in the programs.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Internal and External Audit functions obtain input from the Federal Highway Administration (FHWA) in preparing our annual audit plan and as individual audits are performed. The department also obtains input from them as a reference regarding the federal cost principle guidelines.

Financial services work with many state agencies, including the Comptroller of Public Accounts, the State Auditor, Building and Procurement Commission, Bond Review Board, Public Finance Authority, Legislative Budget Board, Department of Public Safety, the Governor's Office and the Commission on Environmental Quality. Federal agencies include, but are not limited to, the Federal Highway Administration, the Army Corps of Engineers, National Highway Traffic Safety Administration, Department of the Treasury, Environmental Protection Agency, Federal Aviation Administration, Federal Transit Administration and the Department of Homeland Security.

GPA coordinates and works regularly with the U.S. Congress, the U.S. Department of Transportation, the Office of the Governor and the Texas Legislature on legislative and other government related issues.

Purchasing participates as a member of the Texas State Agency Coordinating Committee, Sub-Committee on Purchasing, to provide input to the Governor, the Legislative Budget Board, the State Auditor's Office, and others on purchasing-related issues.

Fleet Management is involved in many activities or programs sponsored by other entities, including branches of the federal government, such as the Environmental Protection Agency (EPA) and the Department of Energy (DOE). Examples include EPA's SmartWays program and DOE's Central Texas Clean Cities Coalition. GSD Fleet Management maintains partnerships with local or regional governments that maintain a vehicle fleet by providing support, consolidating efforts to initiate change, etc. (City of Austin, City of Houston, U.S. Army)

The FHWA Recycling Team supports increased roadway use of recycled materials across the nation through technical transfer. The TxDOT Recycling Program facilitates transfer of relevant information between TxDOT and the FHWA Recycling Team. In addition, the TxDOT Recycling Program exchanges information with universities and local, regional, and state agencies on employee recycling, green purchasing, and conservation in roadway construction and maintenance. Working with these groups helps the Recycling Program stay abreast of these relevant conservation issues and contribute to their continued development.

The worktable (Border Crossings) in which TxDOT participates consists of DOT representatives from each of the ten border states. The table also interfaces with Metropolitan Planning Organizations regionally. Additionally, the worktable interfaces with federal entities such as the Federal Highway Administration, the Department of Homeland Security, the Secretariat of Communications and Transportation (SCT-Mexico), and other federal and state entities in both countries.

Participation on the group consists of federal, state, regional and local entities. The group is chaired by the U.S. Department of State and the Mexican Ministry of Foreign Relations. Federal entities involved include the Federal Highway Administration, General Services Administration, International Boundary and Water Commission, Department of Homeland Security, Customs and Border Patrol, Coast Guard, and the applicable Mexican government counterparts. At the state level, representatives from the U.S. border state DOTs of New Mexico, Texas, Arizona, and California; and representatives from the Mexican state DOTs of Tamaulipas, Coahuila, Nuevo Leon, Chihuahua, Sonora and Baja California participate.

Participants from the regional and local levels include representatives from the counties, cities and local bridge sponsors. Regional and local entities use this forum as an opportunity to inform the group (at the border-wide meetings, as well as the regional meetings) of new bridge projects, and improvements to existing crossings that may be planned or are ongoing in their area. The state and federal entities rely on local and regional input and assistance to expedite needed improvements, presidential permits, and to resolve infrastructure and operational issues.

Information Services includes coordination and work with the following entities:

Entity	TxDOT Relationship
Department of Information Resources	Oversees all TxDOT IR procurements of hardware, software, and services, and provides information technology services
Legislative Budget Board	Reviews and approves TxDOT's legislative appropriations request, which includes the IR budget
State Auditor's Office	Audits TxDOT IR projects and other TxDOT activities
Comptroller of Public Accounts	Transmits and receives secure TxDOT financial data
Quality Assurance Team	Reviews and comments on TxDOT IR projects and is comprised of DIR, the Legislative Budget Board, and the State Auditor's Office
County Tax Assessor/Collectors	Accesses RTS
Department of Public Safety	Accesses RTS and other motor vehicle applications for vehicle registration and titling authentication and provides vehicle crash records
Texas General Land Office	Provides data for TxDOT GIS
Texas Parks and Wildlife Department	Provides data for TxDOT GIS and accesses TxDOT's infrastructure to register watercraft
National Geodetic Survey	Develops federal standards for geodetic surveys and coordinates surveying methods used in Texas
Texas Society of Professional Surveyors	Provides guidance to TxDOT surveyors concerning the practice of land surveying
Texas Board of Professional Land Surveyors	Provides rules and standards for the practice of land surveying in Texas
Texas Geographic Information Council	Directs the sharing of Texas GIS data; part of DIR

City and county governments	Share traffic data with local city, county, fire, emergency medical services, law enforcement, and public transportation entities
Federal Highway Administration	Transmits and receives secure data
Texas Department of Insurance	Validates insurance coverage for vehicle registration

The Capital Improvement Program, Safety Rest Areas, Travel Information Centers and Border Safety Inspection Facilities have local and regional agency staff involvement with master planning, design reviews, construction inspection and contract administration. Local community and public officials are involved with Border Safety Inspection Facility (BSIF) projects through public meetings and hearings held near the locations for proposed new facilities. The planning, design and construction of BSIF's are being coordinated with the U.S. Customs Office for compatibility and incorporation of any special features they have implemented for facilitate truck traffic inspection and control. This assures the design will accommodate and expedite processing of truck traffic exiting their facility. Early planning for safety rest area projects includes "concept design" meetings with nearby communities and local TxDOT officials to gather relevant regional natural resources and cultural information that influences the design. The Federal Highway Association (FHWA) has granted TxDOT programmatic approval for the use of Transportation Enhancement Funding for projects that meet the TxDOT Commission's approved Safety Rest Area Program.

The U.S. Department of Transportation (DOT) is the federal agency used to administer the department's procedures for Transportation Workplace Drug and Alcohol Testing Programs (49 CFR, Part 40). United States Coast Guard (USCG) regulations (46 CFR Parts 4 & 16) require mandatory and alcohol testing of all vessel crewmembers. Federal Motor Carrier Safety Administration (FMCSA) regulations (49 CFR Part 382) require mandatory drug and alcohol testing of all commercial drivers. The department also provides pre-employment physical examinations to all applicants applying for positions with the agency. In keeping with the medical standards set forth by FMCSA, (49 CFR 391.41-49), OCC follows similar guidelines to determine a driver's physical qualification to operate a commercial motor vehicle in intrastate functions. U.S. Department of Health and Human Services (DHHS) is the federal agency that protects the health of all Americans and provides essential human services, especially for those who are least able to help themselves. This agency governs the Substance Abuse and Mental Health Services Administration (SAMHSA), which works to improve the quality and availability of substance abuse prevention, addiction treatment and mental health services. This program provides national certification for all laboratories that meet minimum standards to engage in urine drug testing for federal agencies. TxDOT only utilizes SAMHSA-certified laboratories to perform analysis for the department's drug testing program.

In regard to the Hazardous Materials and Automation Section, TxDOT regularly coordinates with the Texas Department of State Health Services and the U.S. Department of Transportation for regulations regarding the safe transportation of hazardous materials.

The Tort and Liability Section works with the Texas Attorney General's Office – Highway Division on Tort/Liability law suits and DPS, County Sheriff, and City Police to obtain input on accidents.

OGC sometimes coordinates environmental review of projects with the Federal Highway Administration. TxDOT shares jurisdiction with the Federal Railroad Commission (FRC) over

railroad safety in Texas, and OGC sometimes supports the TxDOT rail safety program and may coordinate those efforts with FRC from time to time. The tax assessor-collectors are TxDOT's statutory agents for the registration and titling of vehicles, and OGC sometimes provides legal advice and counsel to them in that capacity.
As for Property Management, if a city, county, or local school district wants to purchase surplus right of way or real property interests owned by TxDOT, they have the statutory priority to do so. Otherwise, the interests are sold to the abutting landowner(s). Occasionally TxDOT leases right of way or real property to a city or to another state agency, and the Texas Legislature has provided this authority.

RTI works with the Federal Highway Administration (FHWA) for approval of the annual research and implementation work programs, and financial matters related to securing federal reimbursement of eligible expenditures under the federal SPR program. An FHWA employee also serves on each of the six research committees.

K. If contracted expenditures are made through this program please provide:

- **the amount of those expenditures in fiscal year 2006;**
- **the number of contracts accounting for those expenditures;**
- **a short summary of the general purpose of those contracts overall;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Financial Services expended $16,195,000 on approximately 44 miscellaneous contracts and 150 purchase orders. These provided the department with financial and legal advisory services and financial support services related to bond issues and other matters involving toll roads. Staff ensures accountability by having contracts and invoices reviewed by involved personnel in this division and involved personnel in Office of General Counsel, and when appropriate, involved personnel in other divisions.

The Government and Business Enterprises Division expended $725,120.53 in FY 2006 for a federal funding outreach contract. This contract developed and executed a comprehensive state and local outreach campaign to increase state and local stakeholders' knowledge of federal funding opportunities and TxDOT's priorities concerning these opportunities, and to work with federal stakeholders to facilitate the realization of these opportunities. Contract deliverables were established and utilized, which included quarterly reporting/review procedures.

GBE/GPA uses contracted services in two general categories: administrative/technical assistance and contracted professional services. The administrative/technical contracts assist the division in its daily operations. Professional services contracts are used to further meet the strategic goals of reducing congestion, enhancing safety, expanding economic opportunity, improving air quality, and increasing the value of transportation assets. Staff uses developed contract management protocol to ensure accountability and performance of its contracts. This protocol uses standardized proposals of work, requires regular project status reports, includes regular contact with vendors, requires review of monthly invoices, and requires review of the final product to ensure that the vendor has met the standards and requirements of the issued contract. In addition, GBE/GPA utilizes internal audits to identify any problems and make recommendations for improvement in division operations.

The recycling program has no contracted expenditures; however, through an extended local sale

agreement (competitively bid as surplus property), we sell our office waste paper. The agency brought in $21,752.00 in revenue in FY 06.

The Total Employee Assistance Program contract is $256,080 annually – actual expenditures spent on violence prevention are not separated out.

The department provides an Employee Assistance Program (EAP) and encourages employees to voluntarily use the services of the EAP to resolve issues associated with harassing, aggressive, threatening, or violent behavior before they affect the workplace. Supervisors may also contact the EAP at any time to seek assistance when handling an employee's violent behavior. The contract service charges are a set rate per employee. Headcounts are provided to the EAP quarterly and statements verified when received. Performance and use are measured and reported in quarterly reports received from the EAP vendor.

In relation to the Engineer Assistance Program, one contract was expended in FY 2006 for $239,532 (contract, per diem and travel). Services provided included a pre-PE examination review and development services in preparation for the Professional Engineer examination. The internal process for approval included review by an immediate supervisor and then the district engineer or division director attended the examination. There was an agreement in place for compensation to the department if the terms and conditions of program were not fulfilled by the employee. All forms are sent to the department for comparison against master invoicing for attendees. There is a triple check and approval process in place.

The Information Services function expended $16,738,245 on 210 contracts in FY 2006. The general purpose of the contracts was to provide software maintenance/support; computer hardware maintenance; computer programming services; equipment rental; telecommunication services; information technology services; freight and delivery service. All purchases greater than $1,000 are pre-approved by (1) the section manager/director requesting the goods or services, (2) the division budget manager and (3) the division director. The approval process takes place prior to submitting a purchase request to central purchasing. In terms of current contracting problems, the additional overhead involved with renewing IT contracts since the commencement of the DIR outsourcing contract continues to be a drain on resources.

Facilities Management and Capital Improvement had 58 contracts accounting for $39,085,298 in FY 2006.

> The CAPITAL IMPROVEMENT PROGRAM had 45 contracts for FY 2006 for the construction of buildings and facilities, repair or rehabilitation and the acquisition of land / real property in the amount of $10,196,646.
>
> The SAFETY REST AREA and TRAVEL INFORMATION CENTER PROGRAMS had 7 contracts for the construction and /or renovations of these facilities in the amount of $13,888,652.
>
> The BORDER SAFETY INSPECTION FACILITY PROGRAM had 6 contracts for the construction of these facilities in the estimated amount of $15,000,000.

Construction contracts are required by statute to be competitive and awarded on a low-bid bases. This often results in contractors understating their bids in order to obtain the contract and then "bid shop" during construction to make their profit margin by "cutting corners" and generating change orders that increase the contract amount. To minimize this, extensive efforts on behalf of

department staff are required to oversee and administer contracts. Quality assurance and continued inspection is also paramount to ensure compliance with construction documents and applicable codes.

In relation to the Substance Abuse function, there were two contracts expended in FY 2006 totaling $503,896.00. This included a contract with ChemChek for $228,284 and a contract with Victory Medical and Family Care for $275,612. The ChemChek Corporation conducts random breath alcohol test and drug urine collections on site at TxDOT's districts and/or divisions statewide. These tests are conducted at designated locations as requested by the state, for individuals selected for random substance abuse testing in accordance with federal regulations. The certified medical doctor at Victory Medical and Family Care serves as the department's Medical Review Officer (MRO) in the administration of the department's drug and alcohol testing program. The MRO annually prepares a random list, by section number, of commercial drivers and vessel crewmembers employed by TxDOT who are subject to random drug and breath alcohol testing. The MRO, as required by Federal law, reviews all drug testing results in accordance with federal regulations. They also contract with a SAMHSA certified laboratory to provide an accurate analysis of all drug specimens collected for TxDOT. The accountability for funding and performance is provided by OCC through the lead worker (LW) for the Substance Abuse Office (SAO), who serves as the project manager for both contractors. The LW is responsible for negotiating fees and services, supervision of time and charges, assuring records management is in accordance with the federal regulations, approving payment for services rendered, and submitting vouchers for payment to the Finance Division.

Hazardous Materials and Automation expended $411,150 on automation contracts in support of OCC during FY 2006. There are three contracts accounting for these expenditures. The purpose of these contracts was to develop and maintain automation systems used to support, improve and enhance the business processes of OCC. One major addition included implementation of an electronic document management system with integration to OCC data systems. Also, two key OCC data systems were combined into one functional system. Methods used to ensure accountability for funding and performance included direct reporting of contractors to OCC staff and direct participation and monitoring of progress by OCC business and technical staff. There are no current contracting problems. The contracts resulted in successful implementation of the planned enhancements. These enhancements are in production/use in the OCC enhanced automation system.

The Safety and Industrial Hygiene function expended $17,372 in FY 2006 on a total of 20 contracts accounting for Hepatitis B related expenditures, including 13 with County Health Departments, four with City Health Departments and one with a University Health Clinic. TxDOT employees who have job functions that create a risk for potential exposure to bloodborne pathogens are eligible for the Hepatitis B (HEP B) vaccination. The HEP B vaccination contracts allow TxDOT to comply with the Bloodborne Pathogen Program as written in the Occupational Safety (OCC) Manual, which is designed to educate and protect employees who work in potentially exposed environments, and provides a laboratory safety analysis to reduce chemical exposure to employees. The HEP B vaccination is a series of three injections over a 6 month period. TxDOT has 25 district offices. There are contracts in 17 of the 25 districts. Districts can use any contracted health department that works best for the employees in that district. The method used to ensure accountability for funding and performance is as follows: the supervisor of a TxDOT employee eligible for the HEP B vaccination must sign a form for each injection provided by a contracted health department. This form is signed by the health department and sent back to the TxDOT district. The TxDOT district sends a copy to OCC Division. The contract health departments are required to send itemized invoices with employee names and number of

injections. OCC compares the invoices with the forms signed by TxDOT employees. Current contracting problems noted are that not all health departments will provide HEP B vaccinations for adults. This creates a limited pool of health departments that TxDOT can contract with. Some TxDOT districts do not have a contracted health department within the district borders.

Total "professional fees and services" paid out by the workers' compensation section for FY 2006 were $202,181.14 through August 31, 2006. The vast majority of this amount was for medical bill audits and preauthorization reviews. The department maintains a professional contract with medical cost containment company Forte. Forte audits all medical bills to insure that they meet the DWC fee schedule. Forte also medically reviews other files, when required and performs pre-authorization services for specific medical treatments. These specific types of medical treatment must be reviewed by medical professionals that are able to determine the reasonableness of the recommended treatment and whether the treatment is reasonably necessary based on the employee's injury and condition. When over-utilization of services by a specific provider is suspected, Forte's contracted doctors review those cases to determine what is reasonable treatment. In this way, over-treatment may be controlled and unnecessary medical treatment denied. Through November 30, 2006, medical providers statewide had billed TxDOT $6,402,619.00 for workers' compensation medical treatment. Forte recommended payments of $2,708,443.06, after their audit reviews, medical disability reviews, pre-authorization reviews, and other services to TxDOT. On these medical bill submissions alone, Forte reduced the department's medical cost by a savings of $3,694,169.94 for the first eleven months of calendar year 2006. Note: The December 2006 cost reductions were not included in the above figures due to TxDOT's and Forte's conversion to new software systems during December 2006. TxDOT also contracts with private investigators (PI) to investigate suspected fraud cases. These types of investigations take special training and unique surveillance equipment to secure evidence necessary to successfully prosecute a fraud case against an employee, and especially against a medical provider. These PIs are used only on special cases with suspicion of fraud and each case is contracted individually with varying limits. The success ratio on these cases have been very good during the last several years.

For Tort and Liability functions, six contracts provided expert witnesses that the department intends to use at trial. In FY 2006 these contracts totaled $46,059.48 and were administered by the Attorney General's Office and by the department's Tort Section to ensure performance is in line with the expense.

The department expended $69,000 in FY 2006 on the Texas Summer Transportation Institute contract. This federally funded and approved institute was conducted to provide secondary school students with an educational and training delivery system that enhanced their interests in careers in transportation and improved their skills in mathematics, science, and technology. OCR attended/monitored the program to ensure accountability. Through the Texas Workforce Commission, Civil Rights Division contract, the department expended $2,500 in FY 2006. This contract is for providing EEO compliance training to TxDOT supervisory and managerial employees as required by Texas Labor Code, Section 21.556.

General Counsel services expended $478,539 on five contracts in FY 2006. Four of the contracts are for outside counsel on issues relating to (1) rail transportation; (2) intellectual property; (3) environmental clearance; and (4) open records litigation. The fifth contract is for copy machine rental. Billing statements are reviewed within the office for accuracy. Performance is reviewed by the office attorney responsible for the subject area for which the work is performed.

Research and Technology expended $24,156,748 on 230 contracts in FY 2006. The purpose of these contracts is to perform research services for TxDOT. Contract performance is monitored by each Project Director, with assistance from the project monitoring committee and RTI, to assure work performed is as contracted, and the project continues to meet TxDOT's needs. RTI monitors funding issues on all contracts, with support from the Project Director, to assure contract budgets and other provisions are complied with.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Please see Section IX on Policy Issues for details on suggested statutory changes to enhance the performance and functions of agency programs.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

In preparation for meetings, IRO communicates with the TxDOT border districts regarding information they may want presented to the group, and for updates on projects and issues. The IRO also invites the border district engineers, or a representative, to attend and participate in the meetings. The information gathered at the meetings by the IRO is used to update the publication, *Texas-Mexico International Bridges and Border Crossings: Existing and Proposed.*

For Information Services, photogrammetry services include assisting and providing district personnel with design-level mapping products and photo lab services for the daily engineering operations of the department, which include securing requests, scheduling flights, tasking the aerial contractor, approving the paneling, approving the photography, scanning the film, performing aerotriangulation, digitizing planimetrics and digital terrain models, generating orthophotography, delivering final mapping products, and archiving project data. Photo lab services include reproduction of photography, paper enlargements, contact prints, and quality control for photogrammetric projects.

Standardization of survey practices is aided by two ISD-produced manuals posted on the internet for TxDOT consultant use. Support and instructions are given for the newest technologies applicable to surveying for both conventional and GPS data collection.

GPS Virtual Reference Networks have been initiated to provide a time and cost saving utility to TxDOT surveyors and contractors. This is accomplished by expanding the existing TxDOT GPS Reference Station Network and new GPS technology which deliver real-time GPS corrections to GPS rovers in the field. This has also improved quality control for survey contracts and allowed real-time integrity monitoring. A more efficient means of recovering destroyed and lost project control has also been created.

In its right of way acquisition program, TxDOT buys land needed for state highway purposes. Once highway and office facilities are constructed on this land, some of the land may not be needed any longer for a state highway purpose. This land can then be declared surplus and sold or leased under the appropriate statutory provision. TxDOT has no statutory authority to acquire excess land for development or investment purposes. The sale of surplus right of way or real property interests is authorized by the Texas Transportation Commission, and instruments of conveyance are approved by the Attorney General and signed by the Governor. Instruments

conveying land worth less than $10,000.00 are signed by TxDOT's Executive Director.

Please refer to the agency's website for additional details on any program at www.txdot.gov.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Below please find details on five regulatory functions related to TxDOT: Motor Carrier Operations, Oversize/Overweight Load Permits, Motor Vehicle Dealer Licensing, Salvage Vehicle Dealer Licensing and the Highway Beautification Act.

Motor Carrier Operations: Why the regulation is needed. This regulatory program is needed to provide for the safe, effective, and efficient movement of people and goods and to protect the state's infrastructure by credentialing motor carriers and licensing vehicle storage facilities (VSFs), ensuring motor carrier and VSF financial responsibility, providing information and referral to the motor carrier industry and the general public, and investigating violations and enforcing regulations concerning motor carriers, which includes household goods movers, charter buses, and tow trucks; VSFs; and oversize/overweight (OS/OW) load permits.

The MCO aims to provide a convenient way for motor carriers to comply with registration requirements.

Fees collected: FY 04: $8.2 million; FY 05: $8.6 million; and FY 06: $9.3 million. These funds are deposited into General Revenue Fund 1.

Scope of, and procedures for, inspections or audits of regulated entities. MCO responds to telephone, written, and e-mail inquires and complaints from the public, customers, and law enforcement. Staff explain motor carrier state statutes and regulations and gather, verify, and organize information for use with investigations. MCO investigates businesses and other sources, gathers evidence, and inspects and copies records needed to determine compliance, citing violations and any action warranted for achieving compliance. MCO may, in extreme cases, consider penalties and/or revocation of certificates and licenses.

Activities include:

- Informing customers and the public of TxDOT's jurisdiction,
- Interpreting laws (state and federal),
- Investigating and citing violations,
- Mediating disputes between parties, and
- Assisting in any way to achieve compliance with motor carrier rules and regulations.

Additional consumer protection rules apply to household goods carriers. These rules require certain information to be on proposals and moving service contracts. Maximum rates must be provided to shippers prior to moves. Other rules pertain to claims-handling procedures and advertisements. Carriers must acknowledge in writing all written claims. Settlement offers or

denials must be in writing, within certain time limits, and with certain information included in the letters. Mediation, sponsored by TxDOT and conducted by a third party, is offered when a shipper does not agree with a settlement.

Consumer protection specifically for towing companies that perform non-consent tows includes rate schedules to be filed and posted on the TxDOT website, cargo insurance coverage for each truck, responding to complaints from consumers, and assisting the public with towing issues.

Activities regarding VSFs consist of enforcing rules that ensure VSFs maintain adequate standards for the protection of stored vehicles and property. Rules enforcement is conducted with investigations that discover facts and violations and determine actions deemed necessary for compliance.

Follow-up activities conducted when non-compliance is identified. After an investigation is performed and violations are identified, MCO may send a warning letter. Some letters request proof of corrections and compliance with rules. Others request acknowledgment of receiving the warning letter and direct a follow-up investigation to be conducted within a certain time. The investigation and ensuing reports develop a picture that usually describes the severity of repeat violations and non-compliance. The severity of the continued non-compliance could be based on frequency and/or similarity of complaints, number of investigations and repeat violations (history), damage or consumer harm factors, registration and insurance issues, record keeping, and cooperation and attitudes of entities being investigated. When follow-up indicates continued non-compliance or non-cooperation, sanctions are considered.

Sanctions available to the agency to ensure compliance. MCO may take administrative action and recommend a penalty. The penalty amount depends on the type of violation. Levels of penalties are based on severity of violations.

MCO may also revoke or suspend an entity's registration.

Maximum penalty amounts are set out in Transportation Code Section 643.251. Administrative penalties are $5,000 or $15,000 if it is found that a motor carrier knowingly commits a violation. An aggregate penalty amount for multiple violations may be in an amount not to exceed $30,000 if it is found that the motor carrier knowingly committed multiple violations arising during a single episode pursuant to one scheme or course of conduct. Each day a violation occurs or continues is a separate violation for purposes of imposing a penalty.

Actual penalty amounts imposed are based on statute and rules and include the seriousness of the violation--including the nature, circumstances, extent, and gravity of any prohibited acts and the hazard or potential hazard created to the health, safety, or economic welfare of the public; the economic harm to property or the environment caused by the violation; the history of previous violations; the amount necessary to deter future violations; efforts made to correct the violation; and any other matter that justice may require. Based on these same factors, MCO may consider suspension and revocation of a registration or license.

The Texas Department of Public Safety (DPS) may request that TxDOT suspend or revoke a registration or place on probation a motor carrier whose registration is suspended if the motor carrier has an unsatisfactory safety rating under 49 C.F.R. Part 385 or multiple violations of Ch. 644.

Procedures for handling consumer/public complaints against regulated entities. MCO receives allegations by telephone, letter, and e-mail, and determines whether an allegation is within TxDOT's jurisdiction. If the allegation is not within jurisdiction, it is referred to the appropriate agency, if applicable, and status information is provided to the complainant or inquirer. When an allegation is within jurisdiction and can be corroborated, staff obtain pertinent information, refer the allegation to a field investigator, and keep the complainant appraised of the investigation's progress. Allegations from competitors must be submitted in writing. Complaints without proper information are not accepted. Staff note when a complainant wishes to remain anonymous. Staff also advise a complainant immediately when there is difficulty in corroborating an allegation and advise the complainant when no further action will be taken.

At times, staff simply provide information or facilitate between parties to reach resolution. An example may be someone who has been involved in an accident or has received damage to property. Dispute resolution assistance often results in settlements with no further action necessary.

For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Texas Department of Transportation
Motor Carrier Operations
Exhibit 12: Information on Complaints Against Regulated Persons or Entities
FYs 2005 and 2006

Motor Carriers, Household Goods Movers, Tow Truck Operators, and VSFs	**FY 2005**	**FY 2006**
Total number of regulated persons	N/A	N/A
Total number of regulated entities	information not available	> 50,000 (*approximation*)
Total number of entities inspected	1,046	956
Total number of complaints received from the public	1,225	1,175
Total number of complaints initiated by agency	112	119
Number of complaints pending from prior years	information not available	information not available
Number of complaints found to be non-jurisdictional	120	135
Number of jurisdictional complaints found to be without merit	information not available	information not available
Number of complaints resolved	1,392	1,261
Average number of days for complaint resolution	314	243
Complaints resulting in disciplinary action:		

Administrative penalties	107	210
Reprimands (warning letters)	282	462
Probation	0	0
Suspensions	0	0
Revocations	16	14
Other (injunctions)	0	4

Oversize/Overweight Load Permits: Why the regulation is needed. To provide for the safe, effective, and efficient movement of people and goods and to protect the state's infrastructure by routing and issuing permits for oversize/overweight loads. Annual permit quantities are: FY 05 - 478,617; FY 06 - 522,638; and FY 07 estimate - 541,541. We anticipate permit volumes will continue to increase.

The scope of, and procedure for, inspections or audits of regulated entities. None[1]

Follow-up activities conducted when non-compliance is identified. None[1]

Sanctions available to the agency to ensure compliance. None[1]

Procedures for handling consumer/public complaints against regulated entities. None[1]

[1] Effective 9/1/2007 TxDOT will implement HB2093, 80th Legislative Session. This bill gives TxDOT the authority to investigate and impose administrative penalties and revocations for permit violations of statute, rule, order, or for providing false information. Administrative rules to implement this program are currently being developed.

Texas Department of Transportation
Issuance of Oversize/Overweight Load Permits
Exhibit 12: Information on Complaints Against Regulated Persons or Entities
FYs 2005 and 2006

	FY 2005	**FY 2006**
Total number of regulated persons	N/A	N/A
Total number of regulated entities (includes persons and businesses)	As of 6/18/07, there are 66,707[2] customer accounts listed in our permits database. [2] We do not track accounts-per-year.	
Total number of entities inspected	N/A	N/A[1]
Total number of complaints received from the public		
Total number of complaints initiated by agency		
Number of complaints pending from prior years		
Number of complaints found to be non-jurisdictional		
Number of jurisdictional complaints found to be without merit		
Number of complaints resolved		

Average number of days for complaint resolution		
Complaints resulting in disciplinary action:		
administrative penalty		
Reprimand		
Probation		
Suspension		
Revocation		
Other		

Motor Vehicle Dealer Licensing: Why the regulation is needed. TxDOT is charged by statute (Occupations Code, Chapter 2301; Transportation Code, Chapter 503; and the Texas Administrative Code, Title 43, Chapter 8) with the responsibility of regulating the motor vehicle distribution industry in Texas.

The scope of, and procedures for, inspections or audits or regulated entities. This program includes enforcing the Lemon Law, regulating the advertisement and sale of motor vehicles in Texas; ensuring compliance with vehicle manufacturers' warranties, and preventing fraud, unfair practices, discrimination and other abuses of Texas citizens.

Follow-up activities conducted when non-compliance is identified. The Transportation Commission adopts rules to enforce the statutes.

Sanctions available to the agency when non-compliance is identified. The statutes require licensure of franchised (new) and independent (used) motor vehicle dealers, manufacturers, distributors, converters, representatives, lessors, and lease facilitators to monitor their activity and ensure they meet minimum standards to serve the citizens of Texas.

Procedures for handling consumer/public complaints against regulated entities. Complaints are received from the public, licensees and government entities; investigations are conducted on alleged violations of statute, agency rules and orders. When violations occur, sanctions such as civil penalties or license revocation may be imposed. The division director renders decisions in cases involving disputes between licensees or when new dealer license applications are protested. Providing responsive and effective service to consumers, licensees, and the general public is a critical objective of the agency.

For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Texas Department of Transportation
Motor Vehicle Dealer Licensing
Exhibit 12: Information on Complaints Against Regulated Persons or Entities
FYs 2005 and 2006

	FY 2005	FY 2006
Total number of regulated persons	19,415	18,794
Total number of regulated entities	19,415	18,794

Total number of entities inspected	195	132
Total number of complaints received from the public	5,367	4,624
Total number of complaints initiated by agency	986	1,123
Number of complaints pending from prior years	1,851	3,696
Number of complaints found to be non-jurisdictional	105	49
Number of jurisdictional complaints found to be without merit	689	318
Number of complaints resolved (Closed)	4,546	3,098
Average number of days for complaint resolution	680	720
Complaints resulting in disciplinary action:		
administrative penalty	1,852	1,543
Reprimand	43	3
Probation	0	0
Suspension	277	41
Revocation	85	91
other (Warnings)	937	656

Salvage Vehicle Dealer Licensing: Why the regulation is needed.

1) Standardize & control persons or businesses acting as a salvage vehicle dealer or re-builder, and those storing or displaying a motor vehicle as an agent or escrow agent of an insurance company;
2) Protect consumers by preventing theft, fraud and abuse;
3) Assist law enforcement in the recovery of stolen motor vehicles or parts; and
4) Source of revenue for the state

The scope of, and procedures for, inspections or audits of regulated entities. Not applicable as the department does not perform inspection, audit and enforcement.

Follow-up activities conducted when non-compliance is identified. Non-compliance as related to inspection, audit and enforcement is not applicable. Non-compliance identified with licensing/renewal qualifications may result in denial, suspension or revocation of licensure, if TxDOT is notified by law enforcement to take a recommended action.

Sanctions available to the agency to ensure compliance. Upon establishment of sufficient grounds, the agency may effect disciplinary actions and penalties associated with suspension or revocation of a license.

Procedures for handling consumer/public complaints against regulated entities. Complainant is referred to law enforcement.

For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Texas Department of Transportation Salvage Vehicle Dealer Licenses Exhibit 12: Information on Complaints Against Regulated Persons or Entities FYs 2005 and 2006		
	FY 2005	**FY 2006**
Total number of regulated persons	5233	5902
Total number of regulated entities	N/A	N/A
Total number of entities inspected	N/A	N/A
Total number of complaints received from the public	0	0
Total number of complaints initiated by agency	N/A	N/A
Number of complaints pending from prior years	0	0
Number of complaints found to be non-jurisdictional	N/A	N/A
Number of jurisdictional complaints found to be without merit	N/A	N/A
Number of complaints resolved	N/A	N/A
Average number of days for complaint resolution	N/A	N/A
Complaints resulting in disciplinary action:	N/A	N/A
administrative penalty	N/A	N/A
Reprimand	N/A	N/A
Probation	N/A	N/A
Suspension	N/A	N/A
Revocation	N/A	N/A
Other	N/A	N/A

Highway Beautification Act: Why the regulation is needed. To regulate the orderly and effective display of outdoor advertising along a regulated highway within the State of Texas.

Scope of, and procedures for, inspections or audits of regulated entities. A person may not erect or maintain a sign as outlined in 43 TAC §21.149 (Regulation of Signs Along Interstate and Primary Highways, Licenses). §21.146 of this title (relating to Signs Controlled), until the person has obtained a license covering the county in which the sign is to be erected or maintained. Licenses are issued by the director and are valid for one year. An applicant for a license must file an application in a form prescribed by the department.

Follow-up activities conducted when non-compliance is identified. Request resubmission of correctly completed forms: license application form must be signed, notarized, and filed with the director in Austin and shall be accompanied by:

(A) a fully executed outdoor advertisers surety bond

(B) a duly certified power of attorney from the surety company

Sanctions available to the agency to ensure compliance. Agency denies license.

Procedures for handling consumer/public complaints against regulated entities. Complaints may be submitted in writing to the district engineer, the division director, or the executive director of the Texas Department of Transportation.

For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency=s practices.

Texas Department of Transportation Highway Beautification Act Exhibit 12: Information on Persons or Entities FYs 2005 and 2006		
	FY 2005	**FY 2006**
Total number of regulated active billboard licenses	1,288	1,279
Total number of regulated entities	N/A	N/A
Total number of entities inspected	N/A	N/A
Total number of complaints received from the public	17	35
Total number of complaints initiated by agency	63	84
Number of complaints pending from prior years	N/A	N/A
Number of complaints found to be non-jurisdictional	N/A	N/A
Number of jurisdictional complaints found to be without merit	N/A	N/A
Number of complaints resolved	N/A	N/A
Average number of days for complaint resolution	N/A	N/A
Complaints resulting in disciplinary action:	N/A	N/A
administrative penalty	N/A	N/A
Reprimand	N/A	N/A
Probation	N/A	N/A
Suspension	N/A	N/A
Revocation	N/A	N/A
Other	N/A	N/A

VIII. Statutory Authority

A. Fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2003 - 2007, or earlier significant Attorney General opinions, that affect your agency's operations.

Texas Department of Transportation Exhibit 13: Statutes/Attorney General Opinions	
Statutes	
Citation/Title	**Authority/Impact on Agency** (e.g., Aprovides authority to license and regulate nursing home administrators)
Transportation Code, Chapter 21	Provides authority to develop aeronautics in this state.
Transportation Code, Chapter 51	Requires commission to cooperate with federal and state agencies and other appropriate persons to determine the state's federal local sponsorship requirements relating to the Gulf Intracoastal Waterway, to satisfy the responsibilities of the nonfederal sponsor as determined by federal law, and to coordinate state actions under Chapter 51.
Transportation Code, Chapter 91	Provides authority to plan rail facilities and systems in this state and to acquire, finance, construct, maintain, and operate a passenger or freight rail facility.
Transportation Code, Title 6, Subtitles A (Chapters 201-204) and B (Chapters 221-250)	Provides the general authority for the department and the commission.
Transportation Code, Chapter 256	Provides authority for funding of certain local roads.
Transportation Code, Chapter 284	Provides authority for the financing and transfer of assets of certain counties.
Transportation Code, Chapter 342	Provides authority to purchase, construct, maintain, operate, or control ferries.
Transportation Code, Chapter 366	Provides authority to interact with regional tollway authorities.
Transportation Code, Chapter 370	Provides authority to interact with regional mobility authorities.
Transportation Code, Chapter 391	Provides authority for complying with the federal Highway Beautification Act.
Transportation Code, Chapter 392	Provides for beautification of state highway right of way.
Transportation Code, Chapter 393	Provides authority for regulation of outdoor signs on public rights of way.
Transportation Code, Chapter 394	Provides authority for regulation of outdoor signs on rural roads.
Transportation Code, Chapter 431	Provides authority for regulating Texas Transportation Corporations.
Transportation Code, Chapter 441	Provides authority for the regulation of road utility districts.
Transportation Code, Chapter 455	Provides the powers and duties relating to mass transit.

Transportation Code, Chapter 456	Provides for commission administration of state financing of public transportation.
Transportation Code, Chapter 458	Provides for the provision of public transportation services.
Transportation Code, Chapter 461	Provides for the coordination of public transportation.
Transportation Code, Chapter 471	Provides duties related to railroad crossings.
Transportation Code, Chapter 472	Provides authority to remove property from state highways.
Transportation Code, Title 7, Subtitle A (Chapters 501-520)	Provides authority to title and register vehicles.
Transportation Code, Chapter 544	Provides authority to regulate traffic signs, signals, and markings.
Transportation Code, Chapter 545	Provides authority to regulate operation and movement of vehicles.
Transportation Code, Chapter 550	Provides authority to collect and maintain accident reports.
Transportation Code, Title 7, Subtitle E (Chapters 621-623)	Provides authority to regulate size and weight of motor vehicles operated on state highways.
Transportation Code, Title 7, Subtitle F (Chapters 642-648)	Provides authority to regulate commercial motor vehicles.
Transportation Code, Chapters 681 and 683	Provides authority to regulate parking, towing, and storage of motor vehicles.
Civil Practice & Remedies Code, Chapter 17, Subchapter D. (Long-arm jurisdiction over nonresident motor vehicle Operator)	Chairman is an agent for service of process on a person who is a non-resident.
Occupations Code, Chapter 2301.	Provides authority to license and regulate sale or lease of motor vehicles.
Occupations Code, Chapter 2302.	Provides authority to license and regulate salvage vehicle dealers.
Occupations Code, Chapter 2303.	Provides authority to license and regulate vehicle storage facilities.
U.S. Code, Title 23	Regulates highways.
U.S. Code, Title 45	Regulates railroads.
U.S. Code, Title 49	Regulates transportation.
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).	Federal law that authorizes the federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009.
National Environmental Policy Act of 1969 (NEPA)	Requires a federal agency to consider the environmental impacts of a major or significant action it takes or funds before the action is taken.

Attorney General Opinions	
Attorney General Opinion No.	**Impact on Agency**
AG Opin. No. GA-0493 (2006)	TxDOT properly construed its rules to permit individuals who are not members of a vehicle owner's immediate family to claim a stored vehicle using an Affidavit of Right of Possession and Control.
AG Opin. No. GA-0440 (2006)	TxDOT may install cameras on state highway ROW to monitor compliance with traffic control signals to enforce traffic laws on state highways and may permit local authorities to install cameras in connection with traffic-control signals on state highway ROW for the same purpose.
AG Opin. No. GA-0143 (2004)	Proceeds from the sale of TxDOT salvage or surplus personal property purchased with constitutionally dedicated funds are not dedicated and are placed in the general revenue fund.
AG Opin. No. GA-0003 (2002)	The Utility Accommodation Policy (43 TAC §§ 21.3 l-21.56) is a reasonable exercise of TxDOT's power of control over the operation of the state highway system. Utility rights-of-way for gas and electric lines are subordinate to the use of highways for highway purposes.
AG Opin. No. M-1228 (1972)	The Commission has the legal authority to build a new State Headquarters Building on specified land in Austin subject to a permit issued by the Texas Historical Commission under Sec. 191.095, Natural Resources Code.
AG Opin. No. WW-237 (1957)	The Commission may, without the supervision or approval of any other State agency, do anything necessary for planning, contracting, or constructing buildings that are necessary for constructing and maintaining the State Highway system.

B. Provide a summary of recent legislation regarding your agency by filling in the chart below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation).

Texas Department of Transportation Exhibit 14: 80th Legislative Session Chart		
Legislation Enacted - 80th Legislative Session		
Bill Number	**Author**	**Summary of Key Provisions**
HB 1857	Murphy	Provides more authority to counties who wish to regulate development around future transportation corridors. Once the environmental process has been completed and a route finalized, a county may deny

		plats that fall within the future transportation corridor. This will prevent excessive development in future transportation corridors, minimize right-of-way costs, and maximize public awareness about the expansion of existing highways and the construction of new ones.
HB 2093	Hill	Increases the fees charged for permits issued by TxDOT's Motor Carrier Division for overweight/oversize vehicle permits and motor carrier registrations. A significant portion of those fees are directed to the state highway fund. The bill also addresses enforcement efforts against violators of the motor vehicle size and weight laws of this state.
SB 12	Averitt	This comprehensive air quality bill covers reforms to the Low Income Vehicle Repair Assistance Program and the Texas Emissions Reduction Plan (TERP). In order to help non-attainment areas reach attainment, the TERP program was extended to 2013, which requires funding. As a result, approximately $100 million per year will be transferred from Fund 6 to the TERP fund, starting in FY 09 through the year FY 15.
SB 718	Ogden	Requires the state to use the trunk system, to the extent possible, as the route for the Trans-Texas Corridor. If using the trunk system is not possible, then TxDOT must notify the Legislature of the reasons why the trunk system could not be used for the route.
SB 766	Ogden	Transfers all of the duties and functions of the Department of Public Safety's Crash Records Bureau to TxDOT.
SB 792	Williams	Prohibits the use of CDAs (CDA authority expires in 2009), except for a few projects that can move forward in the major metro areas. The legislature must study CDAs during the interim and submit their findings in December 2008. Unless the legislature takes a positive action to renew the CDA program in 2009, there will be no more private investment in transportation infrastructure. In the future, for any tolled project that is located within the jurisdiction of a local tolling entity (RMA, RTA, or CTRA), whether it will be developed using private funds or not, the project must go through the market valuation process. This new process is a way for the state and the local tolling entity to agree on the market value of a toll project. Once a value is determined, the local tolling entity will always have the first option to develop the project. If the local tolling entity chooses not to develop the project, then the state may move forward with the project. An additional $3 billion in Proposition 14 bonds are authorized in the bill (up to $1.5 billion can be issued per year), 20% of which must be spent on safety projects.
SB 1209	Carona	As a result of discussions TxDOT started with AT&T last fall, this legislation extends the current law's 50/50 split of utility relocation expenses between the state and affected utilities until 2013 to accommodate toll road construction. Meanwhile, the department must establish a program under which utilities make an annual pre-payment to the department based on 75% of the previous years non-reimbursable utility relocation expenses. All utility relocations would then be reimbursable for utilities participating in the program. The program expires in six years, after which the legislature may extend the program or revert to 100% their responsibility for toll roads. The benefit to utilities is that over time they will see a 25% reduction in

		relocation expenses. The benefit to the state is that utilities will be relocated quicker as utilities tend to move faster when it is clear who will be paying for the relocation. In addition, the utilities will not have to come up with money for each project as most of it will already have been paid up front.
SB 1266	Brimer	Creates a possible new funding source for pass through toll projects through a transportation reinvestment fund. It authorizes local governments to dedicate a portion of increased property tax revenues realized from the development of road projects to the fund in order to sustain the pass-through financing program and fund future projects in their regions.
SJR 64	Carona	This constitutional amendment, if passed by voters, will allow the state to issue debt backed by the general revenue of the state (up to $5 billion) that can be spent on highway improvement projects. If passed in the November election, the legislature will have to authorize the issuance of these bonds during the 2009 session.

Legislation Not Passed - 80th Legislative Session		
Bill Number	**Author**	**Summary of Key Provisions/Reason the Bill Did Not Pass**
HB 2268	Murphy	Would have authorized TxDOT to purchase interests in real property before the location or alignment of the highway has been determined to allow for advanced corridor planning. The bill failed to be heard in Senate Transportation and Homeland Security.
HB 3033	McClendon	Would have capitalized the Rail Relocation and Improvement Fund through the dedication of certain sales and use tax and franchise tax revenue. This fund is critical to the continued movement of services and goods safely and efficiently by rail, as well as providing air quality benefits for several areas of the state. The bill failed to be voted out of the House Ways & Means Committee.
HB 3714	Krusee	Would have identified various sources to capitalize the Rail Relocation and Improvement Fund. This fund is critical to the continued movement of services and goods safely and efficiently by rail, as well as providing air quality benefits for several areas of the state. The bill failed to be voted out of the House Appropriations Subcommittee on General Government.
HB 3747	McClendon	Required the first $25 million in the Texas emissions reduction plan fund be deposited in the Rail Relocation and Improvement Fund. The bill was placed on the Senate Intent Calendar but was never heard on the Senate Floor.
HB 3749	McClendon	Would have authorized the Governor to make an award of Texas Enterprise Funds to the department for purposes of building, relocating or purchasing a rail facility under Chapter 91 of the Transportation Code. The bill was never placed on the House Calendar.
SB 59	Zaffirini	Would have allowed for the use of sobriety checkpoints in Texas, a proven and useful tool to fight drunk driving and increase safety on Texas roadways. The bill failed to be placed on the Senate Intent Calendar for further consideration.

SB 1025	Shapleigh	Authorized TxDOT to undertake certain types of railroad projects and requires all passenger rail facilities to create a safety program and security plan. The bill failed to be placed on the Senate Intent Calendar for further consideration.
SB 1929	Carona	Would have increased the state's transportation infrastructure financing tools by limiting diversion and increasing bonding capabilities, and addressed metropolitan planning organization and regional mobility authority governance. The bill failed to be placed on the Senate Intent Calendar for further consideration.

IX. Policy Issues

A. Brief Description of Issue

Texas cannot rely on traditional state and federal resources to build the infrastructure necessary to accommodate our growing economy. We must find a mechanism that increases our financial resources, imposes a manageable level of risk, and maintains control of future revenue streams for the benefit of the people of Texas and Texas investors.

B. Discussion

With the demand for transportation increasing faster than the state's ability to build infrastructure, the continuing transfers of transportation-related revenue, the unreliability of federal funding, and the steady erosion of the purchasing power of the State Highway Fund, it is critical that Texas look to innovative financing methods to improve mobility in this state as quickly and efficiently as possible. Through the use of Comprehensive Development Agreements (CDAs), TxDOT sought to leverage private funds and foster competition among vendors to drive down costs.

This mechanism of accessing private capital has caused some consternation among legislators and the public recently because it can appear to transfer too much value to private developers (notwithstanding the substantial level of risk that is transferred from the public to the developer under a CDA). There is however another option to tap into private capital while retaining the opportunity to collect the rewards associated with future revenues. By transferring toll road assets to a for-profit corporation in exchange for shares of stock, we can address the perceived imperfections in the CDA system.

If authorized by state law, the process would begin with the transfer of one or more toll assets, on a voluntary basis, to a new Texas for-profit corporation in exchange for shares in that corporation. Tolling entity shareholders could then sell a portion of their shares to private investors. State and local retirement funds would be targeted in the initial public offering.

This proposal allows tolling authorities to unlock current value in existing toll roads, participate in future toll road earnings, and participate in the future capital appreciation of the toll road assets. The unlocked value also will help to ensure that new infrastructure for the state can be built without additional taxation. Rather than looking to Wall Street or international investors to

supplement state resources, TxDOT could request (but not require) the corporation to participate in building Texas infrastructure.

The equity markets that would be attracted to the corporation's shares (pension funds, institutional investors and retail investors) are typically satisfied with a lower rate of return on their investments than are traditional private toll road developers, thereby significantly lowering the cost of capital for infrastructure development and lowering toll rates.

Toll entities would enjoy the benefit of any market appreciation which the shares owned by the toll entities might experience over time. Projected growth for vehicle miles traveled in Texas suggests the potential for strong earnings growth, making the corporation's shares an extremely attractive investment.

Although the corporation would have independent, professional management for operations, that management would report to a board, the majority of which would be appointed by the participating toll entities. In addition, the majority of the board would be private individuals. Daily operations, such as the setting of tolls, would be done by professional managers, within legislatively prescribed parameters, and subject to review by the board.

By providing a means for direct access to equity through capital markets, the corporation would add a significant financial option to those already provided by the Legislature to tolling entities.

During the 80th Texas Legislature, the filed versions of SB 1929 and its House companion HB 3783 included the preliminary framework for establishing the corporation contemplated in this proposal. The legislation would have required further development on this topic had it progressed through the legislative process.

C. Possible Solutions and Impact

A Texas infrastructure corporation could obtain present and future value from toll roads, toll bridges and related transportation infrastructure for the benefit of the people of the state. The company would be a private, for profit, limited liability entity. Other tolling authorities could contribute its revenue-generating assets to the corporation. Individuals (including those who actually use the road), pension funds, and institutional investors could purchase stock in the corporation.

The revenue generated from an initial public offering as well as earnings from a corporation's toll projects would provide the corporation with equity that could be applied to acquire or develop other transportation projects.

A. Brief Description of Issue

HB 3588 from the 78th Legislature, Regular Session authorized the department to enter into comprehensive development agreements (CDAs) for toll and Trans-Texas Corridor projects. The bill provided that TxDOT's authority to enter into CDAs expire on August 31, 2011. HB 2702 from the 79th Legislature, Regular Session added authority to enter into CDAs for: state highway

improvement projects that include both tolled and non-tolled lanes and may include non-tolls appurtenant facilities; state highway improvement projects in which the private entity has an interest in the project; state highway improvement projects financed in whole or in part with private activity bonds; rail projects; or joint rail/highway projects. The provisions of SB 792 from the 80th Legislative Session instituted a moratorium on certain CDAs entered into with a private entity.

The sunset of and moratorium on the CDA program not only removes an optional funding mechanism for transportation projects, but has also shaken the private investment field's confidence that Texas is committed to such a process. The moratorium, by its terms, expires September 1, 2009. Removing the sunset date for CDAs would provide the department yet another tool to utilize for transportation project delivery and would signal stability to the transportation industry, such as potential contractors and partners.

B. Discussion

While traditional tools for project procurement such as motor fuels tax funds and bonding may remain as stable resources, providing the department with all alternative financing mechanisms remains a necessity to assist in meeting Texas' transportation challenge. The ability for TxDOT to meet the state's ever-increasing demands for transportation needs requires that all options for funding transportation projects be available.

The current state gas tax (last raised in 1991) and Texas' allocation of federal highway funds now fall woefully short of current needs and dangerously short of projected needs. Not only will the quality of life for travelers be endangered, but so will Texas business. We must not allow our transportation system to handicap our domestic industry in an era of global competition. Tackling the state's needs will require a long-term program of investment in our transportation system, carefully planned and adequately financed.

Texas has experienced significant increases in population, vehicles owned, and vehicle miles traveled, with these trends projected to continue. The state's aging infrastructure requires more maintenance and rehabilitation needs than ever before, and the ability to utilize all tools available to address the state's transportation requirements is essential.

Some highways, such as I-35, are overwhelmed by capacity not expected when they were designed. Since 1970, as people have moved away from urban work centers, vehicle miles traveled have tripled. Over the next 25 years, population is projected to increase 64 percent, vehicle registrations are projected to increase 214 percent, and vehicle miles traveled are projected to increase 173 percent. Rather than planning for the short term alone, we require the tools to plan for the state's future and are determining our needs based on those projections.

C. Possible Solutions and Impact

Removing the sunset date for CDAs will provide the department one additional, necessary tool to expedite the delivery of projects sorely needed to assist the state in remaining a leader not only in the nation but in the world on the transportation forefront. Not having this tool available

jeopardizes Texas' ability to continue to provide the necessary infrastructure needed to realize the department's goals of reducing congestion, enhancing safety, improving air quality, expanding economic opportunity and increasing the value of our transportation assets.

The impact of having such an option available will not only benefit the citizens of the state utilizing the transportation system daily, but also improve relations with the private sector. Their confidence and support of our goals to improve transportation infrastructure can only help further Texas in realizing our true and evident potential as a leader in this global economy.

A. Brief Description of Issue

Many have expressed concerns that they do not have enough decision making authority when it comes to the development of transportation projects. The public desires to have a say in whether a road will be tolled or non-tolled or developed through a public-private partnership. The public also has concerns about how the Trans-Texas Corridor will be built. The creation of several new planning organizations developed to coincide with existing boundaries of the existing council of government (COG) structure would provide the public with more direct input into these types of transportation decisions. In addition, there is an apparent logic in matching TxDOT district boundaries with those COG boundaries which may necessitate further study.

B. Discussion

Metropolitan Planning Organization Codification:
Metropolitan Planning Organizations (MPOs) provide a valuable service to metropolitan areas in Texas because they select transportation projects that will help improve congestion, air quality, and safety in their regions. MPOs have also played a role in the decision to use tolling or a public-private partnership to develop a specific project, the selection of terms and conditions for toll projects, and the prioritization of funding received under a Comprehensive Development Agreement payment.

MPOs have the unique ability to look at a regional transportation system and make decisions that are best for an entire region. Local elected officials sitting on the MPOs frequently are more equipped to make decisions about transportation projects and solve transportation problems within a region than state officials in Austin, because they are closest to their constituencies.

The creation and some powers and duties of MPOs are governed by federal law. State statutes recognize the transportation planning role of MPOs and provide them with some powers in addition to those provided under federal law. However, state law should be amended to clearly spell out the authority of MPOs concerning the transportation projects to be completed within the boundaries of the MPOs.

Creation of Rural Planning Organizations:
Currently decisions about transportation in areas outside the MPO boundaries are made by TxDOT district engineers with informal input from local leaders, such as county judges, commissioners, and city council members. In order to provide clear and formal decision making

authority to the local leaders in such an area, Rural Planning Organizations (RPOs) should be created by statute.

An RPO would be governed by a board composed of local elected officials and TxDOT district engineers in the area that is inside the boundaries of the Council of Government (COG) (also referred to as a Regional Planning Commission and formed under Local Government Code, Chapter 391), but outside of the boundaries of an MPO.

An RPO would develop transportation plans and programs for its service area. It would provide an opportunity for local leaders to play a formal decision making role in addressing transportation priorities within their region, and give the public a direct way to provide input during the RPOs planning process and selection of major transportation projects. RPOs could be granted the authority to decide when to use tolling and/or public private partnerships to develop projects and would prioritize funding for transportation within their jurisdiction.

TxDOT district boundaries are established independent of the statewide standard approach offered by the COG regional structure. It may be beneficial to study the reorganization of TxDOT district lines to ensure that they coincide with COG boundaries and follow the MPO/RPO proposal here.

Creation of Corridor Planning Organizations:
Many have expressed concerns about the development of the Trans-Texas Corridor (TTC) in their region. Local leaders desire more control over if the TTC will be built and input into where it will be built. Corridor Planning Organizations (CPOs) should be created for each segment of the TTC to assist in addressing specific regional concerns in areas affected by the corridor.

The CPO would include members appointed by the MPOs and local elected officials within the segments and will review and approve each TTC segment within its jurisdiction. The CPO would also approve the method of contracting to build the project including the decision to use a CDA. The CPO would be a way to provide direct local consent for the construction of each segment of the TTC.

C. Possible Solutions and Impact

Metropolitan Planning Organization (MPO) Codification:
The following should be codified in state statute:
MPOs should be authorized to carry out planning functions as dictated by the federal government. These functions include the creation of transportation plans.
As dictated in federal law, the Governor should be authorized in state law to designate MPOs in population centers with over 50,000 people.
The Transportation Commission should be authorized in statute to delegate powers to the MPOs, including the selection of transportation projects.

Creation of Rural Planning Organizations (RPOs):
The following should be codified in state statute:
RPOs should be made up of local elected officials and TxDOT district engineers in the area that is inside the boundaries of the Council of Government (COG) but outside of the boundaries of an MPO.

The Transportation Commission should be authorized to provide State Highway Funds to RPOs for planning purposes.
RPOs should be authorized to create transportation plans, including long-range transportation plans.
RPOs should be required to create a public involvement process before transportation plans can be approved.
The Transportation Commission should be authorized in statute to delegate powers to the RPOs, including the selection of transportation projects.

Creation of Corridor Planning Organizations (CPO):
The following should be codified in state statute:
The creation of a CPO should be required before a route for a segment of the Trans-Texas Corridor can be selected.
CPOs should be made up of members of appointed by MPOs and local elected officials.
CPOs should approve any proposed facility and the method of contracting for the construction or operation of each facility.

A. Brief Description of Issue

The Rail Relocation and Improvement Fund established by the Legislature and confirmed by voters in 2005 should now be capitalized. The relocation and improvement of rail lines has substantial public benefits by providing enhanced public safety, greater economic opportunity, improved air quality, increased mobility, and increased value to our highway and railroad transportation assets. Capitalizing the Rail Relocation and Improvement Fund will provide new transportation solutions to the state that will help us meet demand as the movement of people and goods continues to grow.

B. Discussion

Over the next 20 years, a major increase in freight movements from Asia into the western United States' ports is anticipated. The western ports are not equipped to handle such an increase in freight, and thus more and more freight will begin to move through the Texas gulf ports. In addition, it will be easier to get to the gulf ports with large amounts of freight once the expansion of the Panama Canal is completed. Freight tonnage on Texas highways is projected to increase 85 percent, and freight tonnage on the Texas rail system is expected to increase 68 percent over the next 20 years.

Based on these projected increases, Texans will need an intermodal transportation system capable of adapting to various transportation demands on our rails, ports, and highways. Texas should prepare now for the growth in freight movement so that the traveling public can move freely on our Texas highways.

As the movement of freight continues to increase, safety concerns also increase. Over the past several years there have been numerous train derailments in densely populated urban areas. People were injured and killed as a result of these unfortunate accidents that often include the release of toxic fumes or other hazardous materials. Improving these rail lines and specifically

relocating them away from populated city centers would remove the threat from the general public and enhance safety in our metropolitan areas.

In addition, expanding and improving the rail system is a way to ensure that more of the increase in freight traffic can travel by rail rather than highway. Rail is more cost effective and better for the environment than trucks. In addition, cutting down on freight traffic on our highways means that the general traveling public can get to where they are going more reliably.

The Rail Relocation and Improvement Fund has given Texas a tremendous opportunity to make important investments to enhance its rail system, relieve highway congestion, and improve safety at the same time.

We can use state funds to partner with the rail companies to relocate rail lines out of busy city centers and improve existing tracks to make them safer. Rail relocation and improvement projects will reduce congestion on our highways and railways, improve air quality within city centers by reducing the number if idling trains and vehicles, enhance safety with less vehicle/train crossings, expand economic opportunity through improved freight movement, and increase the value of our transportation system.

Another benefit to making rail improvements is increased mobility for the traveling public. Once a rail line is relocated, the existing railroad land would be available for other mobility projects such as commuter rail or added highway capacity. Such projects could stimulate economic opportunity and increase the tax base in these communities. In areas where rail improvements rather than relocations are needed, economic and trade opportunities will also be improved through increased efficiency of freight movement.

Despite all these benefits, the high cost of rail improvements and relocations warrants multiple funding sources from private and public entities. Approximately $17 billion worth of needed projects have been identified in Texas.

One project in a major metro area can cost multiple billions of dollars. As such, it will take money from state, federal, and local sources, private rail companies, and even private industries that want rail improvements. Other states that have undertaken major rail projects have used all of these sources in order to build projects.

The Rail Relocation and Improvement Fund will be leveraged to issue bonds. If the legislature dedicated a $100 million annual funding, it could generate approximately $1.5 billion in bond proceeds to be used for the relocation or improvement of rail lines. These funds would be matched with funds from private rail companies, and projects could be constructed in collaboration with the rail companies.

Both Union Pacific and Burlington Northern Sante Fe, the two largest rail carriers operating in Texas have signed a Memorandum of Understanding (MOU) with Governor Perry stating that the public contribution to rail projects will match the public benefits and private contribution will match the private benefits. In addition, the MOU with Union Pacific requested that the state source of money for rail relocation projects be funded with an existing source of revenue.

The rail relocation effort began during the 79th legislative session with Representative Ruth Jones-McClendon and Representative Mike Krusee's foresight and leadership on this issue. HB 1546 and HJR 54 were passed during that session. Then, in November of 2005, voters approved

the Rail Relocation and Improvement Fund as a constitutional amendment. The next step is to capitalize the fund. The final step will be to build projects.

C. Possible Solutions and Impact

Capitalizing the Rail Relocation and Improvement Fund will provide a valuable source of funding for needed rail infrastructure improvements that will improve travel for the public. There are many different options for capitalizing the rail fund. However, regardless of how the Rail Relocation and Improvement Fund is capitalized, each rail project will have both public and private benefits. Ideally, the portion of improvements that provides private benefits should be paid for by the private sector and the portion that provides public benefits should be paid for by the public sector. The following are some options for capitalizing the rail fund. For bonding purposes, the fund will need to be capitalized with a dedicated annual revenue stream.

Dedicate to the Rail Relocation and Improvement Fund the business and/or sales taxes the rail industry currently pays to the state.

Dedicate an annual revenue source from the Texas Emissions Reduction Plan to the Rail Relocation and Improvement Fund.

Dedicate another type of annual revenue stream from General Revenue.

Depending on the funding source, this proposal may or may not have a fiscal impact to General Revenue. Regardless, rail relocation and improvement will reduce vehicle and train congestion, enhance the safety of the traveling public, expand economic opportunities in the state, improve air quality in our metro areas, and increase the value of our transportation assets. In all, $17 billion worth of rail projects have been identified in Texas. To get started, the state should look to find a $300 million annual revenue source to begin funding these projects. This level of funding would support an issuance of $4.5 billion in Rail Relocation and Improvement bonds that could be used in conjunction with private funds from rail companies to make rail improvements across the state.

A. Brief Description of Issue

The state gas tax was established to pay for the costs of maintaining our roads and creating new transportation infrastructure to ensure the efficient movement of people and goods. While effective for several decades the gas tax is no longer a reliable source of funding for the following reasons: increased number of fuel efficient vehicles including hybrids and alternative-fuel vehicles; increased cost of highway construction; the gas tax is not indexed to inflation; and diversion of gas tax revenues to non-transportation related projects. Basically, the gas tax is not a sustainable funding source and its ability to fund our transportation infrastructure will continue to decline as vehicles become more fuel-efficient and construction costs continue to rise.

Additionally, the gas tax is no longer an equitable tax. When the gas tax was established all vehicles achieved about the same gas mileage, making the gas tax equitable. A motorist's taxes should cover the cost of using the roadways. As fuel efficiency continues to increase the gas tax

becomes more inequitable. Basically, fuel efficient vehicles are not paying enough in gas taxes to cover their fair share of the damage to our roads.

B. Discussion

The gas tax affects everyone regardless of whether or not you own a vehicle. Motorists are directly impacted each time they purchase gasoline and motorists are undoubtedly affected by the status of our transportation infrastructure. Also, whether or not you own a car you undoubtedly purchase goods arriving on trucks using our roads and paying gas taxes that contribute to the cost of your products.

TxDOT's ability to repair, maintain and construct our transportation infrastructure is directly related to TxDOT's ability to fund projects. Thus, TxDOT is very concerned it has to depend on a declining revenue source such as the gas tax to fund our transportation system. The state gas tax was established in 1923 at one cent a gallon. It was increased in 1929 to 4 cents per gallon. In 1955 it was increased to five cents a gallon. In 1984 it was raised to 10 cents a gallon. In 1987 the gas tax was increased to 15 cents a gallon. And in 1991 the gas tax was increased to 20 cents a gallon. Since then, the gas tax has not changed. In both the 79th and 80th legislative session attempts to increase the gas tax by Chairman Krusee and Chairman Carona respectively were overwhelmingly defeated. It is evident the legislature is not ready to increase gas taxes to fund our transportation system. It is important to keep in mind that if the legislature did increase the gas tax it would still be a declining and inequitable funding source.

A more equitable source of funding would be a vehicle miles traveled user fee. Under a vehicle miles traveled user fee vehicle owners would be charged a specified amount for each mile traveled. Similar to the gas tax this fee would be paid each time a motorist purchased gasoline at the pump. A mileage-counting device, similar to the device used in The Oregon Department of Transportation's (ODOT) Road User Fee Pilot Program, would send vehicle miles traveled information to the gas pump and the motorist would be charged accordingly. ODOT began a year long Road User Fee Pilot Program in the Spring of 2006 and their report will be complete this year.

It is important to acknowledge that a vehicle miles traveled user fee will not solve all of our funding problems. It will be more equitable but we cannot predict if the legislature will charge a fee that will adequately address our funding needs. Also, the legislature may decide a vehicle miles traveled user fee will decrease purchases of hybrids and alternative fuel vehicles. They may want a vehicle miles traveled user fee that takes fuel efficiency into account. As mentioned earlier we are all affected by the gas tax and by TxDOT's ability to fund our transportation system. Thus, changes to our tax structure would impact everyone. Undoubtedly, car manufacturers, auto dealers, motor carriers, environmentalists, privacy advocates, and concerned citizens would be following this issue closely. TxDOT would work very closely with these groups to address their various concerns in establishing this pilot program.

C. Possible Solutions and Impact

Establish a pilot project in statute which authorizes a vehicle miles traveled tax in place of the gas tax.

Undoubtedly, vehicles will continue to become more fuel-efficient and construction costs will continue to rise. For this reason, it is necessary to create a fee based on vehicle miles traveled to more accurately compensate our highway system for damage to our roads.

If TxDOT were able to establish a pilot program to replace the gas tax with a vehicle miles traveled user fee it would be a huge step in creating an equitable and more sustainable funding source for our transportation system.

A. Brief Description of Issue

The department's express authority for advance acquisition of right of way is limited to purchasing options. Under current law, the department is generally required to complete a state environmental review of the entire project prior to determining the final alignment of a transportation facility and acquiring right of way.

This restricts TxDOT's ability to acquire real property prior to selecting the final location or alignment of the project. This can increase the cost of right of way and the length of time to deliver highway projects, which in turn increases overall project costs. The restrictions inhibit the ability of TxDOT to compete for readily developable land. Because TxDOT would not condemn property for advance acquisition, this proposal addresses the limited instances where a property owner voluntarily desires to sell property. It is the department's experience that property owners sometimes request that we purchase their land to alleviate a particular hardship on the basis of their inability to sell or fully develop their property as a result of the planned transportation project.

In addition, the restrictive nature of Texas statutes prevents TxDOT from benefiting from the opportunities to use federal funds for advance acquisition. The federal government has recognized the state interest in advance acquisition of right of way to streamline project delivery and reduce costs.

B. Discussion

Greater flexibility is needed to address advance acquisition strategies that might be needed to protect and provide for expeditious delivery of needed transportation improvements.

Allowing the state to purchase property that is available on the open market would reduce the cost of right of way acquisition by purchasing property at current prices prior to the impact of project enhancement and normal appreciation. It would also limit future development on that particular tract of needed right of way which would otherwise drive up the value and increase the amount to be paid for damage to the newly added improvements. Project delivery time would be reduced because some elements of critical right of way acquisition are taking place in parallel with other work and not after most design work is completed. The reduction in project delivery time should reduce construction costs. It will also increase user benefits from the projects because they will be

open to traffic sooner. This proposal would also encourage effective corridor preservation. A further benefit is that this type of acquisition could reduce relocation costs, condemnation, and other similar costly elements of right of way acquisition.

Advance acquisitions must be conducted with due consideration for federal environmental regulations that prohibit the state from influencing the final alignment of a proposed project prior to completion of the environmental review. In other words, the department's acquisition of a parcel cannot be considered or used to influence the environmental process that determines the ultimate alignment of the facility. So it is possible some property would be acquired through advance acquisition that is not ultimately needed for a project's final alignment. But such excess property would be deemed as surplus and available for resale.

With annual expenditures on right of way of approximately $650 million and construction expenditures of over $3 billion, there are many examples of projects in high growth areas where the acquisition of property from willing sellers in advance of final alignment will result in significant cost savings. These costs savings can reduce overall project costs and speed project delivery in corridors that are expected to be impacted by high rates of growth and associated economic development.

In practice TxDOT has found that an "option to purchase" or "option contract" is only effective in very limited circumstances. In the 78th, 79th, and 80th Sessions of the Texas Legislature, attempts were made to amend the law in order to extract the authority for the early acquisition of right of way from willing sellers.

Late in the 80th Session, some concern was expressed that an advance acquisition would short circuit the environmental process. Actually, an advance acquisition would necessitate more than one environmental review. The standard analysis would still be conducted for the entire project and the other would be an early analysis of the specific parcel to be acquired. The analysis of the specific parcel would be required to determine that there are no environmental concerns on the property to be obtained. For instance, we would not acquire a parcel if it contained a wildlife refuge, an archaeological site, endangered species, or there were hazardous materials present. Current TxDOT rules incorporate this type of environmental review of the specific parcel for property to be acquired under the option to purchase advance acquisition method.

Meanwhile, the full environmental analysis would continue. Consistent with federal law, an advance acquisition may not influence the final environmental work regarding the build/no-build decision, or a decision regarding the project alignment.

C. Possible Solutions and Impact

TxDOT could be authorized to make advance acquisitions by amending Transportation Code, §202.112 to authorize the state to purchase an interest in real property that is identified for possible use in or in connection with a transportation facility, before a final decision has been made on the precise alignment of the facility, and to clarify that Transportation Code, §201.604 requiring completion of environmental review for the entire project does not prohibit use of advance acquisition of the individual parcel. Under this authority, property would be purchased within such areas when it becomes available on the open market.

TxDOT could not use eminent domain authority to make an advance acquisition. The remedy would be targeted on areas where private development might adversely affect lands needed for planned improvements. TxDOT would apply protective purchase provisions to a defined area to protect the land needed for a future improvement. The requested authority is not intended to be applied to all projects, since not all future projects are located in areas where further private development would impact land required by the preferred alignment.

X. Other Contacts

A. Fill in the following chart with updated information on people with an interest in your agency, and be sure to include the most recent e-mail address.

Texas Department of Transportation Exhibit 15: Contacts			
INTEREST GROUPS (groups affected by agency actions or that represent others served by or affected by agency actions)			
Group or Association Name/ Contact Person	**Address**	**Telephone**	**E-mail Address**
Abilene Metropolitan Planning Organization	Robert Allen		Robert.Allen@abilenetx.com
Alamo Regional Mobility Authority	16500 San Pedro Ave.,Suite 350 San Antonio, TX 78232	210-495-5256	www.alamorma.org
Alliance for I-69 Anne Culver, Executive Director	5518 Chaucer Drive, Suite A Houston, TX 77005	713-557-4356	anneculver@houston.rr.com
Alliance Work Partners Tami Calderon	2525 Wallingwood Drive Building 5 Austin, Texas 78746	1.888.327.4636 ext. 728	
Amarillo College Ed Nolte	PO Box 447 Amarillo, TX 78187	806-335-4298	Nolte-el@actx.edu
Amarillo Metropolitan Planning Organization	Harold McDaniel		harold.mcdaniel@ci.amarillo.tx.us
American Railway Engineering and Maintenance of Way Association	10003 Derekwood Ln., Ste. 210 Lanham, MD 20706	301/459-3200	www.arema.org
American Traffic Safety Services Association Danny Floyd	D.I.J. Construction, Inc. P.O. Box 1609 Bertram, Texas 78605	512-355-2766	dannydij@thegateway.net
Asphalt Emulsion Manufacturers Association Myles McKemie and Mike Krissoff	PMB 250 3 Church Circle Annapolis, MD 21401	512-469-9292 410-267-0023	mmckemie@ergon.com krissoff@toad.net
Asphalt Institute Gary Fitts	10635 IH-35 N. Suite 109 San Antonio, TX 78233-6627	210-590-9644	gfitts@texas.net

Associated General Contractors of Texas A.P. Boyd	Highway, Heavy, Utilities & Industrial Branch P.O. Box 2185 Austin, Texas 78768	979-690-1094	apboyd@agctx.org
Austin Metropolitan Planning Organization	Michael Aulick		michael.aulick@campotexas.org
Austin-San Antonio Intermunicipal Commuter Rail District	Sid Covington, Chair P.O. Box 1618 San Marcos, Texas 78667	512-925-1231	sid_c@swbell.net
The Bank of New York Trust Company, N.A., Global Corp Trust	Saúl E. Ramirez, Vice President 919 Congress Avenue, Suite 500 Austin, TX 78701	(512) 236-6518	saul.ramirez@bankofny.com
Beaumont Metropolitan Planning Organization	Bob Dickinson		bdickinson@setrpc.org
Better Business Bureau Deena Wade	1333 W. Loop, South, #1200 Houston, TX 77021	(713) 868-9500	bbbinfo@bbbhou.org
Blackland Prairie Concerned Citizens Association	Cliff Kessler, President P.O. Box 272; Manor, TX 78653	512-281-4397	jk@krankel.com
Brotherhood of Locomotive Engineers and Trainmen Terry Briggs	7083 Baker Blvd. Richland Hills, TX 76118	817-285-7668	terry@tslb.org
Brotherhood of Railway Carmen	3 Research Place Rockville, Maryland 20850	301-948-4910	www.tcunion.org
Brownsville Metropolitan Planning Organization	Mark Lund		bmpo@cob.us
Bryan–College Station Metropolitan Planning Organization	Linda LaSut		llasut@bcsmpo.org
Burlington Northern Santa Fe Railway Dennis Kearns, Legislative Counsel	1001Congress Ave., Suite 250 Austin, TX 78701-2423	512-473-2823	dennis.kearns@bnsf.com
Cameron County Regional Mobility Authority	P.O. Box 531180 Harlingon, TX 78553	956-425-6199	dolex@allexip.com
Camino Real Regional Mobility Authority	2 Civic Center Plaza El Paso, TX 79901	915-541-4550	tellesRL@elpasotexas.gov
Cement Council Robert Lopez	1820 Harwood Court Hurst, TX 76054	817.540.4437	ccpcrl@earthlink.net
Center for Lifelong Engineering Education UT – Austin Cath Polito	PO Box H Austin, TX 78713	512-471-3506	cpolito@mail.utexas.edu
Center for Social Work Research UT School of Social Work Noel G. Landuyt, Ph.d.	1 University Station D3510 Austin, Texas 78712	512.471.9831	nlanduyt@mail.utexas.edu

Center for Technology Transfer (CETRATET) Chihuahua Dr. Manuel Portillo Gallo, Director	Circuito No. 1, Nuevo Campus Universitario Chihuahua, Chih. 31125	614.442.9502 ext. 2524	mportill@uach.mx
Center for Technology Transfer (CETRATET), Coahuila Ing. Sergio Antonio Quintanilla Valdez, Director	Unidad Campo Redondo, Edificio "D" Saltillo, Coah. 25000	844.410.1094 ext. 102	sqv12750@mail.uadec.mx ctttcoah@mail.uadec.mx
Center for Technology Transfer (CETRATET), Nuevo Leon Ing. David Saldaña, Director	Ave. Fidel Velázquez esq. Ave. Universidad San Nicolás de los Garza, N.L. 66450	818.135.9010 818.352.4969 818.352.2307	saldanadave@yahoo.com
Central Texas College Bill Hazzard	PO Box 1800 Killeen, TX 76540	254-526-1349	billy.hazzard@ctcd.edu
Central Texas Regional Mobility Authority	301 Congress Ave. Suite 650 Austin, TX 78701	512-996-9778	mstein.ctrma.org
Clean Cities Coordinator Stacy Neef	P.O. Box 1088, Austin, TX 78767	(512) 482-5343	stacy.neef@austinenergy.com
Compost Advisory Council of Texas	Mark Rose	972/506-8575	rosem@letcogroup.com
Corpus Christi Metropolitan Planning Organization	Tom Niskala		tomniskala@swbell.net
Corridor Watch Linda Stall (Founder)	Corridorwatch.org; Fayetteville, TX 78940-5468	979-535-4213	lindastall@corridorwatch.org
Council of Engineering Companies (CEC) Steve Stagner	1001 Congress Avenue Suite 200 Austin, Texas 78701	512-472-5620	steve@cectexas.org
County Tax Assessor-Collectors Association Betsy Price, President	Tarrant Cty Tax Assessor-Collector 100 E. Weatherford St. Fort Worth, TX 76196-0301	817/884-1100	bjohnson@tarrantcounty.com
Dallas-Fort Worth Metropolitan Planning Organization	Michael Morris, P.E.	817-640-3300	mmorris@nctcog.org
El Paso Metropolitan Planning Organization	Roy Gilyard		rgilyard@elpasompo.org
Environmental Defense – Michael Roplogle	1875 Connecticut Av, NW Washington, DC 20009	202-387-3500	www.environmentaldefense.org
Federal Highway Administration Office of International Programs Michael Avery Team Leader	400 7th St., SW, HPIP.1 (Room 3325) Washington, D.C. 20590	202.366.9197 cell 258.3615	michael.avery@fhwa.dot.gov
Grayson County Regional Mobility Authority	100 W. Houston, 3rd Floor Sherman, TX 75090	903-813-4216	Shortg@grayson.tx.us
Harlingen-San Benito Metropolitan Planning Organization	Rosie Ramirez		rramirez@myharlingen.us

Harris County Toll Road Authority	330 Meadowfero Drive Houston, TX 77067	832-601-7800	www.co.harris.tx.us
Hidalgo County Metropolitan Planning Organization	Andrew Canon		acanon@lrgvdc.org
Hidalgo County Regional Mobility Authority Dennis Burleson	311 N. 15th Street McAllen, TX 78501	956-682-3481	dennis.Burleson@agedwards.com
Highway Systems Nuevo Leon Ing. Oscar Herrera Hosking, Director	Francisco Zarco Sur No. 1001 cruz con Ocampo, Monterrey, N.L. 64000	818.340.0081 Ext 109	scaminos@nl.gob.mx
Houston-Galveston Metropolitan Planning Organization	Alan Clark	713-627-3200	alan.clark@h-gac.com
I69INFO.COM Chris Lawrence	109 Fitzgerald Hall; 3500 Lindell Boulevard; St. Louis, MO 63103-1021	314-977-3006	I69@lordsutch.com
International Municipal signal Association Ray Purdy	709 Nelson Drive Cedar Hill, TX 75104	972-768-1232	purdyli@sbcglobal.net
Kansas City Southern Railway James R. Thornel, AVP Network Services	4601 Shreveport-Blanchard Hwy. Shreveport, LA 71107	318-676-6015	jthornel@kcsouthen.com
Karrass, Inc. Tamra Hall	Karrass Ltd 8370 Wilshire Blvd Beverly Hills, CA 90211-2333	333-951-7500 ext 130	Tamra.Hall@Karrass.com
Keep America Beautiful, Inc. G. Raymond (Ray) Empson, President	1010 Washington Boulevard Stamford, Connecticut 06901 http://www.kab.org	(203) 323-8987	rempson@kab.org
Keep Texas Beautiful Cathy Gail	1524 S. IH 35, Suite 150, Austin 78704	512/478-8813	cathie@ktb.org
Killeen-Temple Metropolitan Planning Organization	Shannon Mattingly, AICP		smattingly@ctcog.org
Laredo Metropolitan Planning Organization	Keith Selman		sselman@ci.laredo.tx.us
Local Training Assistance Program Howard McCann, Director	Tx LTAP TEEX, 301 Tarrow College Station, TX. 77840-7896	979.458.1249	howard.mccann@teexmail.tamu.edu
Longview Metropolitan Planning Organization	Karen Owen		kowen@ci.longview.tx.us
Lubbock Metropolitan Planning Organization	Samuel Woods		swoods@mylubbock.us
McTrans Center, University of Florida Bill Sampson, P.E.	McTrans Center 512 Weil Hall, PO Box 116585 Gainesville, FL 32611	800-226-1013 ext 241	bsampson@ce.ufl.edu
Midland-Odessa Metropolitan Planning Organization	Melba Owens		mowens@motormpo.com

Midland-Odessa Transportation Alliance	James Beauchamp	(432) 563-6240	james@motran.org
Mothers Against Drunk Driving Karen Housewright	611 S. Congress Ave., Suite 505 Austin, Texas 78704	512-445-4979	khousewright@madd.tx.org
National Highway Institute Rick Barnaby	4600 North Fairfax Drive, Suite 800 Arlington, VA 22203	703-235-0520	Rick.Barnaby@fhwa.dot.gov
The Nature Conservatory Mark Dumesnil	P.O. Box 2563 Corpus Christi, TX 78403	361-882-3584	mark_dumesnil@tnc.org
North America's SuperCorridor Coalition, Inc Tiffany Melvin	901 Main Street, Suite 4400 Dallas, TX 75202	(214) 744-1042	tiffany@nascocorridor.com
North Texas Toll Authority	12801 North Central Expressway, Suite 800 Dallas, TX 75243-1862	214-696-5959	www.ntta.org
Northeast Mexico & Texas (NEMEX-TEX) Johan H. Petterson	2121 Sage Rd. Suite 260 Houston, TX 77056	713.963.9962	jpettersoon@nemex-tex.org
Northeast Texas Regional Mobility Authority	305 S. Broadway, Suite 100 Tyler, TX 75702	903-595-6585	jeff@austinbank.com
Oakmont Heights Neighborhood Association Tom Whatley	1916 W. 40th Street Austin, TX 78731	463-0757	tom.whatley@earthlink.net
People Organized in Defense of Earth and her Resources	P.O. Box 6237, Austin, TX 78762-6237	(512) 472-9921	www.PODER-Texas.org
Ports-to-Plains Trade Corridor Michael Reeves	5401 N MLK Blvd, Unit 395 Lubbock, TX 79403	(806) 775-3373	Michael.reeves@ports-to-plains.com
Precast/Prestressed Concrete Manufacturers Association of Texas Thomas J. D'Arcy, P.E.S.E., Executive Director	P.O. Box 7682 Horseshoe Bay, Texas 78657	830-596-0960	darcy-tx@tstar.net
Public Transportation Advisory Committee: 1. Bob Geyer Rural Transit Manager, El Paso County Transportation Provider 2. Vinsen Faris Meals on Wheels Transportation User 3. Reba Malone Reba Malone & Associates General Public	 800 E. Overland, Ste. 208 El Paso, TX 79901 1601 North Anglin, Suite B Cleburne, TX 76031 807 Kashmuir San Antonio, TX 78223	 (915) 834-8242 (817) 558-2840 (210) 532-1885	

4. Vastene Olier Colorado Valley Transit, Inc. Transportation Provider 5. Claudia Langguth Health and Human Services Representative 6. Dr. Bob Peters Transportation User 7. John Wilson General Manager, Citibus Transportation Provider 8. Mr. Fred Gilliam (Chair, PTAC) President/CEO Capital Metropolitan Transportation Authority Transportation Provider 9. Ms. Donna Halstead General Public 10. Mr. Mark Maddy Transportation User 11. Mr. Kari Hackett Houston-Galveston Area Council General Public	P.O. Box 940 Columbus, TX 78934-0940 8700 Smoketree Cove Austin, TX 78735 3813 Brookwood Drive Tyler, TX 75701 P.O. Box 2000 Lubbock, TX 79457 2910 East 5th Street Austin, TX 78702 901 Main Street, Suite 6212 Dallas, TX 75202 45 Acacia Lake Dr. Brownsville, TX 78521 P.O. Box 22777 Houston, Texas 77227-2777	(979) 732-6281 (800) 548-1068 ext 16 (512) 330-9035 (903) 561-7114 (806) 712-2001 (512) 389-7504 (214) 653-1031 (956) 546-5226 (713) 993-4576	
Retired State Employees Association	6901 N. Lamar, Suite 121	(512) 451-0087	
Ridgelea Neighborhood Association Sylvia Pope	4108 Idlewild Austin, TX 78731	499-3429	Sylvia.pope@ci.austin.tx.us
San Angelo Metropolitan Planning Organization	E'Lisa Smetana		elisa.smetana@sanangelotexas.us
San Antonio Metropolitan Planning Organization	Sid Martinez		imartinez@sametroplan.org
Save our Spring Alliance	221 E. 9th St. Austin 78701	512-477-2320	www.sosalliance.org
Sherman-Denison Metropolitan Planning Organization	Bob Wood		rwood@sdmpo.org
Sierra Club	P.O. Box 1931, Austin 78767	512-305-6296	www.sierraclub.org
Secretariat of Communications and Public Works, Ing. Luis Alonso Fernández Casillas	C. Juan Bernardo y Beethoven No. 4000, Fracc. La Herradura Chihuahua, Chih. 31293	614.432.0401 614.429.3300 Ext. 21401	lsfernandez@chihuahua.gob.mx

Secretariat of Communications and Transportation Center, Chihuahua Ing. Luis Herrera Gonzalez, Director	Km. 3 Carretera a Avalos, Col. Villa Juárez, Chihuahua, Chih. 31090	614.420.0704	lherrera@sct.gob.mx gramires@sct.gob.mx
Secretariat of Communications and Transportation Center, Coahuila Ing. Alejandrina Martínez Macias Director	Carretera 57 México.Piedras Negras, Km. 255+680, Tramo Matehuala, Saltillo 4213, Col. Valle de las Flores Saltillo, Coah. 25299	844.430.1363 844.430.1335	ammacias@sct.gob.mx
Secretariat of Communications and Transportation, Nuevo Leon Ing. Raúl Jesús Cadena Cepeda, General Director	Palacio Federal de Cd. Guadalupe, B. Juárez y Corregidora, Col. Centro Cd. Guadalupe, N.L. 67102	818.354.1004 818.354.4347	rcadenac@sct.gob.mx amgarcia@sct.gob.mx
Secretariat of Communications and Transportation, Tamaulipas Jorge Organista Barba General Director	Carretera Nacional México-Laredo Km 228+500, Cd. Victoria, Tamps. 87189	834.312.2199 834.312.2243	jorganis@sct.gob.mx
Secretariat of Public Works, Urban Development and Environment Ing. Alberto Berlanga Bolado Secretary	Libramiento Naciones Unidas Carr. a Soto la Marina Km. 5.6, Cd. Victoria, Tamps. 87130	834.318.3400	Alberto.berlanga@tamaulipas.gob.mx
Secretariat of Urbanization and Public Works Ing. Noé Garcia Riojas Director, Studies and Highway Projects	Edificio De La Fuente, Blvd. V. Carranza #2490, 3er. Piso, Col. Republica Saltillo, Coah. 25260	844.415.5221 844.416.5555 ext. 5602, 6220	gario@prodigy.net.mx
South Central Chapter of American Association of Airport Executives Jeff Bilyeu, Secretary	10260 Carl Pickering Conroe, TX 77303	936-788-8311	jbilyeu@co.montgomery.tx.us
Southwest Movers Association Dorothy Brooks	700 E. 11th. St. Austin, TX 78701	(512) 476-0940	dorothy@tmta.com
Specialized Carriers and Rigging Association Doug Ball, Vice President	2750 Prosperity Ave., # 620 Fairfax, VA 22031	(703) 698-0291 ext. 595	dball@scranet.org
SpeedShore Jack Pettyjohn	SpeedShore Corporation PO Box 4346 Houston, TX 77210	713-943-0750	Pettyjohn@speedshore.com
Sulphur River Regional Mobility Authority	P.O. Box 288 Sulphur Springs, TX 75483	93-438-4006	judge@ Hopkins countytx.org
T2 Tamaulipas Dra Carmen Zenia Nava Vera, Director	Centro Universitario Tampico Madero, Tamps. 39337	833.241.2042 cell 245.2471	cnavave@uat.edu.mx
Texans for Safe Reliable Transportation Joe Krier (President)	815-A Brazos, No. 251; Austin, TX 78701-9996		info@bettertexasroads.org

Texarkana Metropolitan Planning Organization	Brad McCaleb, P.E.		mccaleb@txkusa.org
Texas Aggregates and Concrete Association	Mike Stewart		stewartm@tx-taca.org
Texas Alliance of Rail Districts John Helsley, President	P.O. Box 6004; Granbury, Tx. 76049	817-326-2551	jhelsley@charter.net
Texas Asphalt Pavement Association Gary Dolph	149 Commercial Drive Buda, Texas 78610	(512) 312-2099	gdolph@txhotmix.org
Texas Association of Campground Owners Brian Schaeffer, Executive Director	4621 Cooper #131-104 Arlington, Texas 76017 www.texascampground.com	817-307-0129	tacoexec@swbell.net
Texas Association of Convention and Visitor Bureaus Bridgette Snyder, Executive Director	311 South Station Street Port Aransas, Texas 78373 www.tacvb.org	361-749-0467	bridgette@tacvb.org
Texas Association of Structural Movers Billy Lemons, Director	P.O. Box 145 Whitesboro, TX 76273	(903) 564-5267	lemonscompany@yahoo.com
Texas Automobile Dealers Association Karen Phillips	P.O. Box 1028 Austin, Texas 78767	(512) 476-2686	kphillips@tada.org
Texas Aviation Association Tre Deathe, Interim President	P. O. Box 200308 Austin, TX 78720-0308	512-454-9476	tre.ex.director@txaa.org
Texas Bicycle Coalition Robin Stallings	P.O. Box 1121, Austin 78767	512/476-RIDE	robin@biketexas.org
Texas Coal Ash Utilization Group	Rick Hoelscher		rick.hoelscher@boral.com
Texas Concrete Pavement Association	Dennis Warren		tcpa@houston.rr.com
Texas Concrete Pipe Association	David Matocha		david.matocha@hanson.biz
Texas Department of Information Resources Brian Rawson, Executive Director	300 West 15th Street Suite 1300 Austin, Texas 78701	(512) 475-4700	cto@state.tx.us
Texas Department of Insurance – Workers Compensation Division Thomasina Olaniyi-Oke	7551 Metro Center Drive, Suite 100 Austin, TX 78744-1609	512-804-4615	Thomasina.Olaniyi-Oke@tdi.state.tx.us
Texas Downtown Association Kim McKnight	P.O. Box 546, Austin 78767	512/472-7832	info@texasdowntown.org
Texas Farm Bureau	Warren Mayberry	5124728288	wmayberry@txfb.org
Texas Floodplain Management Association	Roy Sedwick P.O. Box 90367, Austin 78709	512-858-7302	tfma@verizon.net

Texas Good Roads & Transportation Association Lawrence Olsen	1122 Colorado St., Suite 305 Austin, Texas 78701	512-478-9351	lolsen@tgrta.com
Texas Hotel & Lodging Association Scott Joslove, President & CEO	1701 West Avenue Austin, Texas 78701 www.texaslodging.com	512-474-2996	sjoslove@texaslodging.com
Texas Independent Automobile Dealers Association Jeff Martin	P.O. Box 127 Round Rock, Texas 78680-0127	(512) 244-6060	jmartin@txiada.net
Texas Industries for the Blind and Handicapped Ron Bartles, State Marketing Manager	1011 East 53 ½ Street Austin, TX 78751	(512) 451-8145	rbartels@tibh.org
Texas Lime Association Larry Peirce	3502 Katsura Lane Austin, Texas 78746	512-329-8871 Office	lwpeirce@austin.rr.com
Texas Motor Transportation Association John Esparza	700 E. 11th. St. Austin, TX 78701	(512) 478-2541	john@tmta.com
Texas Municipal League Shanna Igo	1821 Rutherford Lane, Suite 400 Austin, TX 78754	512-231-7400	sigo@tml.org
Texas Municipal Police Association	6200 La Calma Dr., #200 Austin, TX 78752	454-8900	ken@tmpa.org
Texas Noxious Weed Working Group David Kostroun	Texas Department of Agriculture P.O. Box 12847 Austin, TX 78711	(512) 463-0012	David.Kostroun@agr.state.tx.us
Texas Ports Association Chris Fisher, Chairman	P.O. Drawer 2297 Beaumont, TX 77704	409-835-5367	dcf@portofbeaumont.com
Texas Private Bus Owners Association Jerry Prestidge, Exec. Director	19225 Camino Real Dale, TX 78616	(512) 376-9898	
Texas Public Employees Association	512 E. 12th street	(512) 476-2691	www.tpea.org
Texas Public Works Association Nancy Cline	16801 Westgrove Drive, Addison, TX, 75001-5190	972-450-2878	ncline@ci.addison.tx.us
Texas Shortline Railroad Association Steve George, President	6300 Ridglea Place, Suite 1200; Fort Worth, Texas 76116	817-763-8297	spg@fwwr.net
Texas Tech University Dr. Jimmy Smith, P.E.	Murdough Center for Engineering Professionalism Texas Tech University Box 41023 Lubbock, TX 79409	806-742-0162	jimmy.smith@coe.ttu.edu
Texas Towing & Storage Association	P.O. Box 92603 Austin, TX 78709	(866) 924-2088	ttsa@austin.rr.com
Texas Transportation Institute	William R. Stockton	979-845-9947	
Texas Travel Industry Association Paul Serff, President and CEO	812 San Antonio Street Suite 401 Austin, Texas 78701	512-476-4472	pserff@ttia.org

Tyler Metropolitan Planning Organization	Heather Nick		hnick@tylertexas.com
Union Pacific Railroad Ron Olson – Special Rep. Gov. Affairs	1001 Congress Ave., Suite 250 Austin, TX 78701	512-478-5881	rmolson@up.com
United Transportation Union Mr. CM English, Sr.	211 East 7th Street Suite 440 Austin, TX 78701-3263	512-472-7072	SLD@ututx.org
The University of Chihuahua Oscar Raul Herrera Lagunas Director, College of Engineering	Campus Universitario Apartado Postal 1528 Sucursal "C" Chihuahua, Chih. 31160	614.413.7766 614.413.3711 614.414.1944	jvalles@uach.mx
The University of Coahuila Ing. Jorge Luis Ortiz Cárdenas Director, College of Engineering	Unidad Campo Redondo, Edificio "D" Saltillo, Coah. 25000	844.410.1094 ext. 102	jlortiz@mail.uadec.mx
The University of Nuevo Leon Ing. Oscar José Moreira Flores Director, College of Engineering	Av. Pedro de Alba S/N, Cd. Universitaria Apartado Postal 58.F San Nicolás de los Garza, N.L. 66450	818.332.1490 818.329.4060 ext. 6061	omoreria@fic.uanl.mx dirfic@ccr.dsi.uanl.mx
University of Texas – Arlington Professional Development and Continuing Education Teresa Madden-Thompson	Box 19197 140 West Mitchell Street Austin, TX 76019	817-272-0992	tmthomp@uta.edu
Victoria Metropolitan Planning Organization	Ray Miller		rmiller@victoriatx.org
Waco Metropolitan Planning Organization	Christopher Evilia		cevilia@ci.waco.tx.us
Wichita Falls Metropolitan Planning Organization	Lin Barnett		lin.barnett@cwftx.net

INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS
(that serve as an information clearinghouse or regularly interact with your agency)

Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
Airport Owners & Pilots Association Shelly Lesikar de Zevallos Southwest Regional Representative	PO Box 941789 Houston, TX 77094	281-414-2490	shelly.lesikar@aopa.org
Alamo Area Council of Governments Dean Danos, Deputy Director	8700 Tesoro Drive – Suite# 700 San Antonio, Texas 78217	210-362-5208	ddanos@aacog.com
American Association of Motor Vehicle Administrators Mike Calvin	4301 Wilson Blvd., Ste. 400 Arlington, VA 22203	703/522-4200	mcalvin@aamva.org
American Association of State Highway and Transportation Officials	444 North Capitol Street N.W., Suite 249 Washington, DC 20001	Phone: (202) 624-5800	info@aashto.org

American Automobile Association of Texas Mark Bell, Vice President and General Manager	6555 North State Hwy. 161 Irving, Texas 75039	469-221-8316	Bell.Mark@aaa-texas.com
American Road & Transportation Builders Association	1010 Massachusetts Ave. NW, 6th floor Washington, DC 20001-5402	202-289-4434	www.artba.org
American Society for Testing and Materials	ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA, 19428-2959 USA	610-832-9500	www.astm.org
Arizona Department Of Transportation Dale Buskirk Director, Planning and Programming	206 S 17th Ave, Room 100 Phoenix, AZ 85007	602.712.8143	dbuskirk@dot.state.az.us
Ark-Tex Council of Governments Lynda Woods-Pugh, CCTM Transportation & Community Development Manager	P.O. Box 5307 Texarkana, TX 75505-5307	(903) 832-8636	lwoods@atcog.org
Associated General Contractors	2300 Wilson Blvd, Suite 400, Arlington, VA 22201	703-548-3119	infor@abc.org
Associated General Contractors of Texas Jennifer Koehler	300 Barton Springs Road Austin, TX 78704	(512) 478-4691	jenk@agctx.org
Border Trade Alliance Maria Luisa O'Connell President	2020 N. Central Ave. 750 Phoenix, AZ 85004	602.266.7427 800.333.5523	mlo@thebta.org
Brazos Valley Council of Governments Michael Parks Assistant Executive Director	P.O. Drawer 4128 Bryan, Texas 77805–4128	(979) 595-2800, ext. 2001	mparks@bvcog.org
California Department Of Transportation Pedro Orso-Delgado Caltrans District Director	2829 Juan St. San Diego, CA 92186	619.688.6668	pedro_orso-delgado@dot.ca.gov
Capital Area Metropolitan Planning Organization Stevie Greathouse Principal Planner	PO Box 1088 Austin, TX 78747	(512) 974-9715	stevie.greathouse@campotexas.org
Center for Technology Transfer, Chihuahua Dr. Manuel Portillo Gallo Director	Circuito No. 1, Nuevo Campus Universitario Chihuahua, Chih. 31125		mportill@uach.mx
Center for Technology Transfer, Coahuila Ing. Sergio Antonio Quintanilla Valdez, Director	Unidad Campo Redondo, Edificio "D" Saltillo, Coah. 25000	844.410.1094 ext. 102	sqv12750@mail.uadec.mx

Center for Technology Transfer (CETRATET), Nuevo Leon Ing. David Saldaña Director	Ave. Fidel Velázquez esq. Ave. Univ. San Nicolás de los Garza, N.L. 66450	818.135.9010 818.352.4969 818.352.2307	
Center for Technology Transfer, Tamaulipas Dra. Carmen Zenia Nava Vera Director	Centro Universitario Tampico Madero, Tamps. 39337	833.241.2042 cell 245.2471	cnavave@uat.edu.mx
Center for Transportation Research (UT-Austin) Randy B. Machemehl	Center for Transportation Research 3208 Red River Austin, Texas 78705		rbm@mail.utexas.edu
Central Texas Regional Mobility Authority	301 Congress Ave. Suite 650 Austin, TX 78701	512-996-9778	mstein.ctrma.org
City of Lubbock/Citibus Melinda Green Harvey, AICP Director of Planning	PO Box 2000 Lubbock, Texas 79457	806-712-2003	mharvey@citibus.com
Coastal Bend Council of Governments Richard Bullock Director of Planning and Development	P.O. Box 9909 Corpus Christi, Texas 78469	361 883-5743	richard@cbcog98.org
Community Council of Southwest Texas, Inc. Sarah Hidalgo-Cook Community Development Specialist/Compliance Officer	P.O. Drawer 1709 Uvalde, Texas 78802-1709	830-278-6268 X 140	ccswt-swtransit@sbcglobal.net
Concho Valley Council of Governments Susan Crippin Transportation Planner	2801 W. Loop 306, Suite A, San Angelo, TX 76904	325-944-9666	scrippin@cvcog.org
County of El Paso Bob Geyer Rural Transit Manager	800 E. Overland, Suite 208, El Paso, Texas 79901	915-834-8242	bgeyer@epcounty.com
Corporation for the Dev. of the Border Zone of Nuevo Leon (CODEFRONT) Lic. Pedro Pablo Treviño Villarreal, Director	Loma Redonda 2721, Col. Lomas de San Francisco Monterrey, NL 64710	818.347.4399 812.033.9753	pptrevino@codefront.gob.mx
Council of Engineering Companies	1001 Congress Ave., Suite 200 Austin, TX 78701	512-474-1474	mike@cectexas.org
Deep East Texas Council of Governments Rusty Phillips Regional Services Director	210 Premier Dr. Jasper, TX 75951	409-384-5704, ext. 260	rphillips@detcog.org
Department of Homeland Security Gary Becker	Private Sector Office Washington, DC 20528	202.282.9013	gary.becker@dhs.gov

El Paso Metropolitan Planning Organization Ricardo Dominguez Transp., Planning & Programming Mgr.	10767 Gateway Blvd. West, Suite 605, El Paso, TX 79935	915.591.9735 x19	rdominguez@elpasompo.org
Employees Retirement System of Texas	1801 Brazos	(512) 867-7711	www.ers.state.tx.us
Environmental Protection Agency	Everett Spencer	(214) 665-8060	
Falling Weight Deflectometer User's Group Patricia Polish	Nevada Department of Transportation 1263 South Stewart Street Carson City NV 89712		ppolish@dot.state.nv.us
Federal Emergency Management Agency Mark Price	800 N. Loop 288, Denton, TX 76209	940-898-5359	mark.price@dhs.gov
Federal Highway Administration	FHWA 300 E. 8th Street, Room 826 Austin, TX 78701		
Federal Highways and Bridges (CAPUFE) Lic. Octavio Vial Torres Regional Delegate VIII Northeast Zone	Ave. Luís Echeverría No. 575, Col Aquiles Serdán Reynosa, Tamps. 88540	899.921.1015 899.921.1016	ovial@capufe.gob.mx
Federal Motor Carrier Safety Administration	Rodney Baumgartner	512-536-5980	
Federal Railroad Administration	758 Creekmont Court Ventura, CA 93003	805-339-0772	Michael.calhoun@dot.gov
General Land Office Natural Gas Utilities Ping Ku	1700 N. Congress Avenue Austin, TX 78701	475-1507	mao-ping.ku@glo.state.tx.us
General Services Administration	1800 F Street NW Washington, DC 20405-0001	202.501.1682	
Golden Crescent Regional Planning Commission Lisa A. Cortinas, Director of Transportation Services	568 Big Bend Drive Victoria, Texas 77904	361-578-1587 x207	lisac@gcrpc.org
Gulf Intracoastal Canal Association Raymond Butler	2010 Butler Drive Friendswood, TX 77546	281-996-6915	rbutler@houston.rr.com
Harris County Toll Road Authority	330 Meadowfero Drive Houston, TX 77067	832-601-7800	www.co.harris.tx.us
Heart of Texas Council of Governments Jacque Wolske Transportation Manager, Rural Transit District	1514 South New Road Waco, Texas 76711	(254) 292-1895	jacque.wolske@hot.cog.tx.us
Hill Country Transit District Carole Warlick	P.O. Box 217 San Saba, Texas 76877	325 372-4677	cwarlick@taketehop.com

Houston-Galveston Area Council Lydia Abebe Transportation Planner	P.O. Box 22777 Houston, TX 77227-2777	713-993-4501	Lydia.abebe@h-gac.com
INDAABIN (GSA counterpart) Santiago García Silva General Administrator of Administration and Works	Tuxpan 85, Piso 2, Col. Roma Sur Mexico, DF 06760	555.574.2316	jsilva@funcionpublica.gob.mx
International Adopt-a-Highway Association Scott Lucas, President and Board of Directors	Office of Maintenance Administration Ohio Department of Transportation 1980 W. Broad Street Columbus, Ohio 43223 http://www.adopt-a-highway-international.org/	(614)-644-6603	scott.lucas@dot.state.oh.us
International Association of Lemon Law Administrators Carol Roberts	89 Annabessacook Drive Winthrop, ME 04364	(207) 377-8752	coroberts@roadrunner.com
International Boundary and Water Commission Carlos Marin, Commissioner U.S. Section	11601 FM Road 1472 P.O. Box 579 El Paso, TX	915.832.4157	carlosmarin@ibwc.state.gov
International Bridge, Tunnel & Turnpike Association	1146 19th St. NW, Suite 800 Washington, DC 20036-3725	202-659-4620	Caronold@ibtta.org
International Regional Magazine Association Herman Kelly, Executive Director	1320 East University Ave. Georgetown, Texas 78626-6115 www.regionalmagazines.org/	512-819-9500	us002848@mindspring.com
Legislative Budget Board	P.O. Box 12666 Austin, TX 78711	(512) 463-1200	
Lower Rio Grande Valley Development Council Manuel G. Flores Director of Regional Transit Services	311 N. 15th St. McAllen, Texas 78501	(956) 969-5761	mgflores@bizrgv.rr.com
Mexican Institute of Transportation Jorge Artemio Acha Daza Unit Chief, Intelligent Transportation Systems	Carretera Queretaro.Galindo, Mpio Pedro Escobedo Mexico, DF 76700	442.216.9777	jorge.acha@imt.mx
Midland-Odessa Urban Transit District Edward Esparza General Manager	8007 E. Hwy. 80	432-561-8051	eesparza@netwest.com
Mission Aransas National Estuarine Research Reserve Sally Morehead	750 Channel View Drive Port Aransas, Texas 78373-5015	361-749-6771	sallym@utmsi.utexas.edu

National Association of Motor Vehicle Boards and Commissions Bruce Gould	2201 West Broad Street, #104 Richmond, Virginia 23220	(804) 367-1000 X3002	bruce.gould@mvdb.virginia.gov
National Association of State Aviation Officials Henry Ogrodzinski President and Chief Executive Officer,	National Association of State Aviation Officials, (NASAO) 1010 Wayne Avenue-Suite 930 Silver Spring, MD 20910	301-588-0587	henryo@nasao.org
National Business Aviation Association Steven Hadley Regional Representative	National Business Aviation Assoc. 13741 Harbor Drive Waco, TX 76712	254-235-7924	shadley@nbaa.org
National Cooperative Highway Research Program	Crawford Jencks, Manager	Telephone: 202-334-2379	cjencks@nas.edu
National Geodetic Survey	NGS Information Services, NOAA, N/NGS12 National Geodetic Survey SSMC-3, #9202 1315 East-West Highway Silver Spring, MD 20910-3282	(301) 713-3242	
National Highway Traffic Safety Administration Kenneth Copeland	819 Taylor St., Room 8A38 Fort Worth, TX 76102-6177	817-978-0120	Kenneth.Copeland@dot.gov
National Immigration Institute Raúl Cueto Martínez Coord. of International & Inter-Institutional Relations Ministry of the Interior	Homero No. 1832, Piso 18, Col. Polanco, Deleg. Miguel Hidalgo Mexico, DF 11510	555.387.2492 555.387.2493	rcueto@inami.gob.mx
National Institute of Governmental Purchasing, Inc. Rick Grimm	151 Spring Street, Herndon, VA 20170-5223	703-736-8900 Toll-Free: 800-FOR-NIGP	rgrimm@nigp.org
National Marine Fisheries Service Rusty Swafford, Research Fishery Biologist/Acting Branch Chief	National Marine Fisheries Service Rusty Swafford, Research Fishery Biologist Habitat Conservation Division, Galveston Field Branch 4700 Avenue U Galveston, Texas 77551-5997	409-766-3699	Rusty.Swafford@noaa.gov.
National Oceanic and Atmospheric Administration	14th Street and Constitution Avenue, NW, Room 62187 Washington, D.C.	(202) 482-6090	
National Property Management Association Gary Quinn	TxDOT, 125 E. 11th St., Austin, TX 78701	(512) 302-2413	gquinn@dot.state.tx.us
National Roadside Vegetation Management Association	5616 Lychburg Circle, Hueytown, Al. 35023	(205)491-7574	jreynoldsnrvma@charter.net
National Safety Council	Nikki Mathews	(972)250-4482	

National TE Clearinghouse Graham Stroh	1100 17th Street NW, Washington, DC 20036	202/974-5155	graham@enhancements.org
National Transportation Safety Board	490 L'Enfant Plaza, SW Washington, DC 20594	202 314-6000	http://www.ntsb.gov -
National Transportation Training Directors Ray L. Belk, President, TxDOT	Virtual organization, no brick and mortar facility	512-486-5448	rbelk@dot.state.tx.us
New Mexico Border Authority Jaime Campos Executive Director	220 Pete Domenici Highway Santa Teresa, NM 88008	505.589.6101	jaime.campos@state.nm.us
New Mexico Department Of Transportation Office of the Secretary Rebecca Montoya Adjutant Secretary	1120 Cerrillos Rd P.O. Box 1149 Santa Fe, NM 87504-1149	505.827.9863 cell 690.0822	Rebecca.Montoya@state.nm.us rebecca.montoya@nmshtd.state.nm.us
New Mexico International Programs Coordinator Joseph J. de la Rosa, Urban & Regional Planner	750 N. Solano Dr. Las Cruces, NM 88001	505.525.7331 cell 470.5562	joseph.delarosa@state.nm.us Joseph.DeLaRosa@nmshtd.state.nm.us
Nortex Regional Planning Commission Nora Zárate Hodges Transportation Planner	POB 5144 Wichita Falls, Texas 76307	940 322 5281	nhodges@nortexrpc.org
North American Association of Transportation Safety & Health Official	Rob Gentle	(828)828-2848	
North American's Super Corridor Coalition, Inc. Tiffany Melvin, Executive Director	901 Main Street, Suite 4400; Dallas, TX 75202	214.744.1042	www.nascocorridor.com
North Central Texas Council of Governments Michelle Bloomer Principal Transportation Planner	P.O. Box 5888 Arlington, TX 76005-5888	(817) 608-2329	mbloomer@nctcog.org
North Texas Toll Authority	12801 North Central Expressway, Suite 800 Dallas, TX 75243-1862	214-696-5959	www.ntta.org
Panhandle Regional Planning Commission Chris Coffman Local Government Service Director	P.O. Box 9257 Amarillo, TX 79105	806-372-3381	ccoffman@theprpc.org
Regional Integration Program of the northeastern Region Dev. and Linkage to Texas (INVITE) Ing. Leticia Aguirre Fernández Logistics Planning Coordinator	José Benítez Esq. con Alpes No. 2709, Col. Obispado Monterrey, N.L. 64060	811.133.8323	leticia.aguirre@nuevoleon.gob.mx

Road Profiler Users Group John B. Ferris, Ph.D Director, Vehicle Terrain Performance Laboratory	IALR 150 Slayton Ave. Danville, VA 24543		jbferris@vt.edu
SASHTO Subcommittee on Highway Transport Tommy Thames, Chair	Mississippi DOT PO Box 1850 Jackson, MS 39215-1850	(601) 359-1538	tthames@mdot.state.ms.us
Secretaría de Seguridad Pública - Coah. Lic. Fausto Destenavi Kuri Secretary	Edif. de Seguridad Pública del Edo Perif. Luis Echeverría No. 5402-1 Saltillo, Coah. 02050	844.438.9803	Edelapena@hotmail.com
Secretaría de Seguridad Pública – Nuevo Leon Comisario Jefe Antonio Garza García Secretary	Ave. Félix U. Gómez #2223 Nte. Col. Reforma Monterrey, NL 64450	812.020.3600	
Secretariat of Communications and Public Works Highway Administration Ing. Luis Carlos Maynez Hernández	C. Juan Bernardo y Beethoven No. 4000, Fracc. La Herradura Chihuahua, Chih. 31293	614.432.0404 614.429.3300 Ext. 21401	lmaynez@chihuahua.gob.mx
Secretariat of Communications and Transportation Center Jorge Organista Barba, Director	Carr. Nal México-Laredo Km. 228+500 Cd. Victoria, Tamps. 87189	834.312.2199 834.312.2243	jorganis@sct.gob.mx
Secretariat of Economic & Employment Development Infrastructure for Foreign Commerce Arq. Vicente Saint Martín Ochoa	Torre Gubernmental JLP, Piso 11, Blvd. Praxedis Balboa Cd. Victoria, Tamps. 87090	834.318.9568	vicente.saint@tamaulipas.gob.mx
Secretariat of Foreign Relations Lic. Sean Carlos Cázares Ahearne Director Border Affairs	Plaza Juárez No. 20, Piso 18, Col. Centro, Delegación Cuautémoc Mexico, DF 06010	553.686.5836	scazaresa@sre.gob.mx
Secretariat of Industrial Development, Ciudad Juárez MA Julián César Rey Gallardo Director of Border Promotion	Blvd. Tomás Fernández No. 7930, Edif. B, Primer Piso, Col. Campestre Cd. Juárez, Chih. 32470	656.688.1490 Ext. 54906	cesar.rey@chihuahua.com.mx
Secretariat of Infrastructure and Urban Development State of Baja California (SIDUE) Sergio Eduardo Montes Montoya	Edificio poder ejecutivo 4to piso, Calz. Indep. y Paseo de los Héroes s/n Centro Cívico y Comercial Mexicali, BC 21000	686.558.1068	smontes@baja.gob.mx
Secretariat of Public Safety, Baja California Lic. Victor Felipe de la Garza Secretary	Av. De los Héroes y la Libertad s/n Centro Cívico Mexicali, Baja California 21000	686.837.3920	

Secretariat of Public Safety, Chih. Lic. Javier Torres Cardona Secretary	Km. 3.5 Carretera Aldama Ojinaga No. 309, Col. Centro Chihuahua, Chih. 31000	614.439.0010	
Secretariat of Public Safety, Sonora Lic. Francisco Figueroa Souquet Secretary	Rosales y Paseo del Canal S/N A un Costado de la PGJE, Col. Centro Hermosillo, Sonora 83000	662.259.5700	
Secretariat of Public Safety, Tamps. Lic. Consuelo Terán Rodríguez Legal Director	Carretera Interejidal Km. 1.5 Cd. Victoria, Tamps. 87070	834.318.6216	cieloteran@hotmail.com
Secretariat of Public Works and Transportation Lic. Luis Gerardo García Martínez	Blvd. V. Carranza 2490 3er Piso, República Oriente Saltillo, Coah. 25280	844.415.6414	
Secretariat of Urban Infrastructure and Environment Arq. Fernando Lam Koerdell Coordinator of Special Projects	Blvd. Hidalgo #35 y Comonfort 3er. Piso, Col. Centenario Hermosillo, Sonora 83260	662.213.1900 662.213.2186	flamk61@hotmail.com
Secretariat of Urbanization and Public Works Ing. Noé Garcia Riojas Director of Highway Studies and Projects	Edificio De La Fuente, Blvd. V. Carranza #2490, 3er. Piso Col. Republica, Saltillo, Coah. 25260	844.415.5221 844.416.5555 ext. 5602, 6220	gario@prodigy.net.mx
Secretary of State's Office Helena Escalante Director, TX Border & Mexican Affairs Division	1019 Brazos, 3rd Floor Austin, TX 78701	512.475.2808	hescalante@sos.state.tx.us
South East Texas Regional Planning Commission Bob Dickinson Director Transportation & Environmental Resources	2210 Eastex Freeway Beaumont, Texas 77703	409-899-8444 ext. 251	bdickinson@setrpc.org
South Texas Development Council Juan E. Rodriguez Economic Development Coordinator	P.O. Box 2187 Laredo, TX 78043	(956) 722-3995	jerodriguez@stdc.cog.tx.us
State Auditor's Office	P.O. Box 12067 Austin, TX 78711-2067	(512) 936-9500	
State of Tamaulipas Lic. Aquiles Garza Barrios Director of Foreign Commerce	Torre Gubernmental JLP, Piso 11, Blvd. Praxedis Balboa S/N Cd. Victoria, Tamps. 87090	834.318.9570 834.318.9549	aquiles.garza@tamaulipas.gob.mx aquiles_garza@hotmail.com
Team Texas Megan Price	5900 W. Plano Parkway – Suite 100 Plano, TX 75093	214-461-2078	mprice@ntta.org
Texas Bicycle Association Robin Stallings	1704 E. 5th #106 Austin, Texas 78702	(512) 476-7433	robin@biketexas.org

Texas Board of Architectural Examiners	333 Guadalupe, Suite 2-350, Austin, Texas 78711-2337	302-8530	
Texas Board of Professional Engineers	1917 IH 35 South Austin, TX 78741-3702	(512) 440-7723	
Texas Board of Professional Land Surveying	Building A, Suite 156 12100 Park 35 Circle Austin, Texas 78753	(512) 239-5263	
Texas Commission on Fire Protection Darle McClintock, Director of Field Operations	Texas Commission on Fire Protection P.O. Box 2286 Austin, Texas 78768-2286	512-918-7167	
Texas Comptroller of Public Accounts	P.O. Box 13528 Austin, TX 78711-3528	(512) 463-4444	
Texas Department of Information Resources	300 West 15th St., Suite 1300 Austin TX 78701	(512) 475-4700	
Texas Department of Insurance	P.O. Box 149104 Austin, TX 78714-9104	(512) 463-6169	
Texas Department of Licensing & Regulations Varies for Arch'l Barriers, Boilers, Elevators, Maint. Licenses	920 Colorado Austin, TX 78701	463-6599	
Texas Department of Public Safety	5805 North Lamar Austin, TX 78752-4422	(512) 424-2000	
Texas Department of Transportation Port Authority Advisory Committee Chairman John LaRue, Port of Corpus Christi	P.O. Box 1541 Corpus Christi, TX 78403	361-885-6189	john@pocca.com
Texas General Land Office	P.O. Box 12873 Austin, Texas 78711-2873	(512) 463-5001	
Texas Good Roads Association	1122 Colorado Street, Suite 305 Austin, TX 78701	512-478-9351	lolsen@tgrta.com
Texas Parks and Wildlife Department	4200 Smith School Road Austin, TX 78744	(512) 389-4800	
Texas Railroad Commission Rex King, Assistant Director, Oil and Gas Division	P.O. Box 12967 Austin, Texas 78711-2967	512-463-6889, fax 463-7324	
Texas Society of Professional Surveyors	2525 Wallingwood Dr., #300 Austin, TX 78701	(512) 327-7871	
Texas State Agency Business Administrators Association	P.O. Box 13164	Austin, Texas 78711	www.tsabaa.com
Texas State Department of Health Services	Larry Rapor	(512) 834-6665	
Texas Transit Association Ben Herr, Executive Director	Texas Transit Association 323 Congress Ave., Suite 100 Austin, TX 78701	512/478-8883	benherr@texastransit.org

Texas Transportation Institute Dennis Christiansen	Texas A&M University System 3135 TAMU College Station, Texas 77843-3135		dennis-c@tamu.edu
Texas Travel Industry Association Paul Serff, President and CEO	812 San Antonio Street Suite 401 Austin TX 78701	512-476-4472	pserff@ttia.org
Texas Vegetation Management Association	6402 Betty Cook Dr. Austin, Tx. 78723	(512)933-9930	Pnorth@sbcglobal.net
Texas Water Development Board	1700 N. Congress Avenue Austin, TX 78701	(512) 463-7847	info@twdb.state.tx.us
Texoma Council of Governments Jennifer Cantu Community Development Director	1117 Gallagher Dr. Sherman, TX 75090	903-813-3534	jcantu@texoma.cog.tx.us
Trans-Texas Corridor Advisory Committee	C/O Texas Department of Transportation; 125 East 11th Street; Austin, TX 78701	512-463-8585	
Transportation Research Board Robert E. Skinner	Keck Center of the National Academies Transportation Research Board 500 Fifth Street, NW Washington, DC 20001	202-334-2936	rskinner@nas.edu
Travel Industry Association Shelley Conway	1100 New York Avenue, NW, Suite 450 Washington, DC 20005-3934 www.tia.org	202-408-8422	sconway@tia.org
Unified Carrier Registration Board Avelino Gutierrez	1120 Paseo de Peralta Legal Division, Room 516 Santa Fe, NM 87504	(505) 827-4565	Avelino.Gutierrez@state.nm.us
The University of Tamaulipas College of Engineering Julio Cesar Barrientos Cisneros, Director	Centro Universitario Tampico Madero, Tamps. 39337	833.241.2031	jbarsena@uat.edu.mx
The University of Texas at Austin –Lady Bird Johnson Wildflower Center Flo Oxley	4801 La Crosse Avenue Austin, Texas, 78739	512/292-4200 ext. 160	oxley@wildflower.org
The University of Texas at Austin- Center for Transportation Research Rob Harrison, Deputy Director	3208 Red River Austin, TX 78705	512.232.3100 512.232.3113	harrison@mail.utexas.edu
US Army Corps of Engineers Joseph Hrametz	P.O. Box 1229 Galveston, TX 77553	409-766-3973	joseph.j.hrametz@SWG02.usace.army.mil
US Composting Council Seal of Testing Assurance Program Al Rattie	29 East Ridge Avenue, Sellersville, PA 18901	215/258-5259	arconsulting1@verizon.net
US Customs & Border Patrol Chad Gilchrist	1300 Pennsylvania Ave. NW Washington, DC 20229	202.344.3617	chad.gilchrist@dhs.gov

U.S. Customs and Border Patrol El Paso Field Office Doyle Morris Border Security Coordinator	9400 Viscount Blvd., Ste. 104 El Paso, TX 79925	915.633.7380	
U.S. Customs and Border Patrol Laredo Field Office Kenneth Ackley	109 Shiloh Dr. Laredo, TX 78045	956.682.1269	Kenneth.ackley@dhs.gov
U.S. Department of Commerce David Olsen Int'l. Trade Admin. Office of NAFTA/Int'l. Affairs	1401 Constitution Av., NW Washington, DC 20230	202.482.0507	david.olsen@mail.doc.gov
U.S. Department of State Office of US-Mexico Border Affairs Dan Darrach, Coordinator	2201 C Street, NW, ARA/MEX Room 4258 Washington, D.C. 20520	202.647.8529	darrachd@state.gov
US Department of Transportation Office of Motor Carriers	2212 Arlington Downs Road, Suite 101 Arlington, Texas 76011	817-633-6875, fax 633-8243	
US Fish & Wildlife Service Sybil Vosler, Field Supervisor	Texas Ecological Services Field Office US Fish & Wildlife Service Ecological Services Compass Bank Building 10711 Burnet Road, Suite 200 Austin, Texas 78758		
US Geological Survey William Asquith	8027 Exchange Drive, Austin, TX 78754	512-927-3580	wasquith@usgs.gov
US Geological Survey Digital Elevation Model Gregory Pekar	PO Box 4087 Austin, Texas 78773-0220		Gregory.Pekar@txdps.state.tx.us
US Surface Transportation Board Nancy Beiter, Staff Attorney	395 E Street, S.W., Washington, D.C.	202-245-0230	nancy.beiter@stb.dot.gov
WASHTO Subcommittee on Highway Transport Richard Clasby, Chair	Utah DOT 4501 South 2700 PO Box 148240 Salt Lake City, UT 84114-8240	(801) 965-4156	rclasby@utah.gov
West Central Texas Council of Governments James Compton Executive Director	P.O. Box 3195 Abilene, TX 79604	(325) 672-8544	jcompton@wctcog.org

LIAISONS AT OTHER STATE AGENCIES

(with which your agency maintains an ongoing relationship, e.g., the agency=s assigned analyst at the Legislative Budget Board, or attorney at the Attorney General=s office)

Agency Name/Relationship/ Contact Person	Address	Telephone	E-mail Address
Alliance Work Partners Tami Calderon	2625 Wallingwood Drive Building 5 Austin, Texas 78746	1.888.327.4636 ext. 728	

Arizona Department Of Transportation Victor Mendez, Executive Director	206 S 17th Ave, Room 100 Phoenix, AZ 85007	602.712.7227	vmendez@dot.state.az.us
Bond Review Board Bob Kline & Piper Montemayor	300 W.15th Street Ste.409 78701 Austin, TX 78701	(512) 463-5700	
Brownsville and Matamoros Bridge Company José Galván, President/Chief Operating Officer	9900 South Cage Brownsville, TX 78577	956.542.8558 956.548.2415	josegalvan@up.com
Brownsville Metropolitan Planning Organization Mark Lund, Director	P.O. Box 911 Brownsville, TX 78520	956.548.6150	bmpo@cob.us
California Department Of Transportation Sergio Pallares, Chief of International Studies Caltrans District 11	2829 Juan Street P.O. Box 85406 San Diego, CA 92186-5406	619.688.3610 619.709.4016 619.699.6903	sergio.pallares@dot.ca.gov
Center for Multidisciplinary Research in Transportation, Texas Tech University	Phillip T Nash, Director	806-742-2783	Phil.nash@coe.ttu.edu
Center for Technology Transfer Chihuahua Dr. Manuel Portillo Gallo, Director	Circuito No. 1, Nuevo Campus Universitario Chihuahua, Chih. 31125		mportill@uach.mx
Center for Technology Transfer, Coahuila Ing. Sergio Antonio Quintanilla Valdez, Director	Unidad Campo Redondo, Edificio "D" Saltillo, Coah. 25000	844.410.1094 ext. 102	sqv12750@mail.uadec.mx ctttcoah@mail.uadec.mx
Center for Technology Transfer, Nuevo Leon Ing. David Saldaña, Director	Ave. Fidel Velázquez esq. Ave. Universidad San Nicolás de los Garza, N.L. 66450	818.135.9010 818.352.4969 818.352.2307	
Center for Technology Transfer, Tamps. Dra. Carmen Zenia Nava Vera, Director	Centro Universitario Tampico Madero, Tamps. 39337	833.241.2042	cnavave@uat.edu.mx
Center for Transportation Infrastructure Systems, UT El Paso	Soheil Nazarian, Director	915-747-6911	nazarian@utep.edu
Center for Transportation Research - UT Austin	Randy B Machemehl, Director	512-471-4541	RBM@MAIL.UTEXAS.EDU
CitiStreet	Mary Lou Bourchers	(800) 634-5091	www.texasaver.com
City of Del Rio Margie Montez, Interim Bridge Superintendent	109 W. Broadway Del Rio, TX 78840	830.774.8561	mmontez@cityofdelrio.com
City of El Paso Ramon (Ray) Mendoza	791 S. Zaragoza Rd. El Paso, Texas 79907	915.858.4172 915.858.3842	mendozarj@elpasotexas.gov

Eagle Pass Hector Rodriguez, Bridge Manager	100 S. Monroe St. Eagle Pass, TX 78852	830.773.2403	hrodriguez@cityofeaglepass.com
El Paso Metropolitan Planning Organization Roy Gilyard, Director	10767 Gateway Blvd. West, Suite 605 El Paso, 79935	915.591.9735 x13	rgilyard@elpasompo.org
Employee Retirement System Call Center Personnel		(512) 867-7711	www.ers.state.tx.us
Federal Highway Administration Carol Broyles	300 E. 8th Street Austin TX 78701	512-536-5919	carol.broyles@fhwa.dot.gov
Federal Railroad Administration State Rail Safety Participation Program Ira P. Baldwin	201 Brooks Street Charleston W. Virginia 25323	304-340-3775	ibaldwin@psc.state.tx.us
Governor's Budget Office Michael Schluttloffel	Capitol Building Austin, Texas 78701	(512) 463-1778	
Governor's Committee on People with Disabilities	Pat Pound	512/463-5742	ppound@governor.state.tx.us
Harlingen-San Benito Metropolitan Planning Organization Juan Sanchez , Director	502 E. Tyler Harlingen, TX 78550	956.216.5242	jsanchez@myharlingen.us
Health and Human Services Commission Joey Herrera	Health and Human Services Commission 4900 North Lamar Blvd. Austin, Texas 78711-3247	512/491-1340	joey.herrera@hhsc.state.tx.us
Hidalgo County Metropolitan Planning Organization Andrew Canon, Director	1801 South 2nd St, Suite 430 McAllen, TX 78503	956.682.3481	acanon@lrgvdc.org
International Toll Bridge City of McAllen George Ramon, Bridge Director	P.O. Box 399 Hidalgo, TX78557	956.843.2471	gramon@mcallen.net
Lamar University	Stuart Wright, Research Liaison	409-880-7673	stuart.wright@lamar.edu
Laredo Metropolitan Planning Organization Samuel Keith Selman, Planning Director	1120 San Bernardo Ave. P.O. Box 579 Laredo, TX 78042	956.794.1600	sselman@ci.laredo.tx.us
Legislative Budget Board Thomas Galvan	1501 North Congress Austin, Texas 78701	(512) 463-1200	
New Mexico Border Authority Jaime Campos, Executive Director	220 Pete Domenici Highway Santa Teresa, NM 88008	505.589.6101	jaime.campos@state.nm.us
New Mexico Intern'l Programs Coordinator Joseph J. de la Rosa Urban & Regional Planner	750 N. Solano Dr. Las Cruces, NM 88001	505.525.7331	joseph.delarosa@state.nm.us Joseph.DeLaRosa@nmshtd.state.nm.us

Office of Attorney General Kristina Silcocks Chief of Transportation Division	209 W. 15th St., 14th Floor 78701 P.O. Box 12548 Austin, TX 78711-2548	(512)463-2004	kws@oag.state.tx.us
Office of the Consumer Credit Commissioner	Rudy Aguilar	(512) 936-7627	rudy_aguilar@occc.state.tx.us
Office of the Governor Economic Development and Tourism	P.O. Box 12428 Austin, Texas 78711-2428	512-936-0101	
Office of Music, Film, Television and Multimedia Industries Bob Hudgins	1100 San Jacinto, #3410 Austin, Texas 78701	512-463-9200	film@govenror.state.tx.us
Office of the Secretary - NM DOT Rebecca Montoya Adjutant Secretary	1120 Cerrillos Rd P.O. Box 1149 Santa Fe, NM 87504-1149	505.827.9863	Rebecca.Montoya1@state.nm.us rebecca.montoya@nmshtd.state.nm.us
Pharr County Adminstrator Pete Sepulveda	1100 e. Monroe Brownsville, TX 78520	956. 982.5414	psepulveda@co.cameron.tx.us
Pharr-Reynosa International Bridge Jesse J. Medina, Bridge Director	9900 South Cage St. Pharr, TX78577	956.781.1361	jmedina@cityofpharr.com
Prairie View A&M University	Judy Perkins, Research Liaison	936-261-1665	juperkins@pvamu.edu
Presidio Bridge John Prewitt, Port Director	P.O. Box 1959 Presidio, TX 79845	432.229.3265	john.prewitt@dhs.gov
Progreso International Bridge Sam R. Sparks, President/Owner	P.O. Box 130 Progreso, TX 78579	956.565.6361	sam@texasmexicobridges.com
Public Utility Commission of Texas Damon Withrow	1701 N. Congress Ave, PO Box 13326 Austin, TX 78711	5129367000	damon.withrow@puc.state.tx.us
Secretariat of Infrastructure and Urban Development -State Baja California Carlos Lopez Rodriguez	Edificio poder ejecutivo 4to piso, Calz. Indep. y Paseo de los Héroes s/n Centro Cívico y Comercial Mexicali, BC 21000	686.558.1062	clopezr@baja.gob.mx
Secretariat of Urbanization and Public Works Ing. Noé Garcia Riojas, Director of Highway Studies and Projects	Edificio De La Fuente, Blvd. V. Carranza #2490, 3er. Piso Col. Republica, Saltillo, Coah. 25260	844.415.5221 844.416.5555 ext. 5602, 6220	gario@prodigy.net.mx
Secretariat of Urban Infrastructure and Environment Arq. Fernando Lam Koerdell Coordinator of Special Projects	Blvd. Hidalgo #35 y Comonfort 3er. Piso Col. Centenario Hermosillo, Sonora 83260	662.213.1900 662.213.2186	flamk61@hotmail.com
Secretary of State's Office TX Border & Mexican Affairs Div. Helena Escalante, Director	1019 Brazos, 3rd Floor Austin, TX 78701	512.475.2808	hescalante@sos.state.tx.us

Starr-Camargo Bridge Co. Sam Vale, President	303 Pete Diaz, Jr. Ave. Rio Grande City, TX 78582	956.500.2562 956.487.5606	sfvale@aol.com
Starr County International Bridge System José A. González, Bridge Manager	P.O. Box 941 Roma, TX 78584	956.849.1211	starrcountyinternati@RGV.RR.com
State of Tamaulipas Lic. Aquiles Garza Barrios Director of Foreign Commerce	Torre Gubernamental JLP, Piso 11 Blvd., Praxedis Balboa S/N Cd. Victoria, Tamaulipas 87090	683.318.9570 683.318.9549	aquiles.garza@tamaulipas.gob.mx aquiles_garza@hotmail.com
State Energy Conservation Office Dub Taylor	111 East 17th Street #1114, Austin, TX 78701	(512) 463-1931	dub.taylor@cpa.state.tx.us
Stephen F. Austin State University	Heather Catton, Research Liaison	936-468-6606	hcatton@sfasu.edu
Tarleton State University	David Weindorf, Research Liaison	254-968-9298	weindorf@tarleton.edu
Texas A&M University Department of Recreation, Park and Tourism Sciences Miles Phillips	2261 TAMU College Station, Texas 77843	979-845-1023	mdphillips@ag.tamu.edu
Texas A&M - Corpus Christi	Sandra Garcia, Research Liaison	361-825-5731	sandrad.garcia@tamucc.edu
Texas A&M - Galveston	Tammy Holliday, Research Liaison	409-740-4941	hollidat@tamug.edu
Texas A&M – Kingsville	Sandra L. Rexroat, Research	361-593-3344	osr@tamuk.edu
Texas Agricultural Experiment Station	Diane Gilliland, Research Liaison	979-845-4781	d-gilliland@tamu.edu
Texas Building and Procurement Commission Gregg Werkenthin	1711 San Jacinto, Austin, Texas 78711	463-0909	Gregg.Werkenthin@tbpc.state.tx.us
Texas Commission on Environmental Quality Joseph Daley, Coordinator	P.O. Box 13087 Austin, Tx. 78711-3087	512-239-3308	
Texas Commission on the Arts Gaye McElwain, Director of Marketing	P.O. 13406 Austin, Texas 78711	512-463-5535	gmcelwain@arts.state.tx.us
Texas Comptroller of Public Accounts	P.O. Box 13528 Capitol Station Austin, Texas 78711-3528	512.463.4468	
Texas Department of Agriculture David Kostroun	Texas Department of Agriculture P.O. Box 12847 Austin, TX 78711	(512) 463-0012	David.Kostroun@agr.state.tx.us
Texas Department of Criminal Justice Rick Thaler	P.O. Box 99 Huntsville, TX 77342	(936)437-2189	rc.thaler@tdcj.state.tx.us

Texas Department of Information Resources Sherry Parks	William P. Clements State Office Building, 300 W. 15th St., Suite 1300 - Austin TX 78701	(512) 475-4700	sherri.parks@dir.state.tx.us
Texas Department of Insurance Carol Cates	333 Guadalupe St. Austin, TX 78701	512/463-6123	carol.cates@tdi.state.tx.us
Texas Department of Licensing and Regulations George Ferrie	920 Colorado, Austin, Texas 78701	463-6599 475-4817 463-2907	georgef@license.state.tx.us
Texas Department of Public Safety	5805 North Lamar Blvd. Austin, Texas 78752-4422	512.424.2000	www.txdps.state.tx.us
Texas Engineering Extension Service	C. Howard McCann, Research Liaison	979-458-1249	Howard.McCann@teexmail.tamu.edu
Texas Facilities Commission State Surplus Property Manager - Shannon Kelley	1711 San Jacinto, Austin, TX 78701	(512) 463-9709	shannon.kelley@tbpc.state.tx.us
Texas General Land Office Laura Rogers	1700 N. Congress, Austin, Texas 78701	936-0626	laura.rogers@glo.state.tx.us
Texas Parks and Wildlife Department Lydia Saldana, Communications Director	4200 Smith School Road Austin, Texas 78744-3292	512-389-4557 512-389-4574	lydia.saldana@tpwd.state.tx.us
Texas Public Finance Authority Kimberly Edwards	300 W.15th Ste.411 78701 Austin, TX 78701	(512) 463-5700	
Texas Railroad Commission Mary McDaniel, Director	1701 N. Congress Austin, TX 78701	512-463-7166	mary.mcdaniel@rrc.state.tx.us
Texas Southern University Lei Yu, Research Liaison		713-313-7282	Yu_LX@TSU.EDU
Texas State Historic Commission	1511 Colorado; Austin, TX 78701	512-463-6100	
Texas State Preservation Board	201 E. 14th Street, Suite 950 Austin, Texas 78701 Mailing Address: P.O. Box 13286 Austin, Texas 78711	512-463-5495	webmaster@tspb.state.tx.us
Texas State University- San Marcos	Scott Erwin, Research Liaison	512-245-2102	we10@txstate.edu
Texas State Auditor's Office	1501 N. Congress Ave. Austin, TX 78701	(512) 936-9300	
Texas State Classification Office Senior Classification Analyst Christine Bailey	P.O. Box 12067 Austin, TX 78701-2067	512-936-9628	cbailey@sao.state.tx.us
Texas State Council on Competitive Government Jim Scogin	1711 San Jacinto Blvd. Austin, TX 78701	(512) 463-3855	jim.scogin@tbpc.state.tx.us
Texas State Fire Marshal Fire & Life Safety Issues Pete Lopez	P.O. Box 149221, Austin, TX 78714-9221	305-7359	pete.lopez@tdi.state.tx.us

Texas State Library and Archives Commission, State and Local Records Management Division Margaret Hermesmeyer	4400 Shoal Creek Blvd. Austin, TX 78756	(512) 421-7212	margaret.hermesmeyer@tsl.state.tx.us
Texas Transportation Institute Texas A&M University	Dennis L Christiansen, Director	979-845-1713	dennis-c@tamu.edu
Texas Workforce Commission	101 E. 15th Street Austin TX 78778	512-463-4650	
The University of Coahuila College of Engineering Ing. Jorge Luis Ortiz Cárdenas, Director	Unidad Campo Redondo, Edificio "D" Saltillo, Coah. 25000	844.410.1094 ext. 102	jlortiz@mail.uadec.mx
The University of Houston	Patricia L. de Hoop, Research Liaison	713-743-9239	pdehoop@uh.edu
The University of North Texas	Lucien Finley, Research Liaison	940-369-5913	LFinley@acad.admin.unt.edu
The University of Texas Print Shop – Richard Beto	2100 Comal St. Austin, TX 78722	(512) 232-2437	rbeto@mail.utexas.edu
The University of Texas Arlington Elvin Franklin, Research Liaison		817-272-3656	efrank@uta.edu
The University of Texas Austin Dr. Ron Matthews, Research	Department of Mechanical Engineering, College of Engineering 1 University Station C2200 Austin, TX 78712	(512) 471-3108	rdmatt@mail.utexas.edu
The University of Texas Brownsville	Mariana Tumlinson, Research Liaison	956-882-7739	mariana.tumlinson@utb.edu
The University of Texas Pan American	Wendy Fowler, Research Liaison	956-381-2889	wfowler@utpa.edu
The University of Texas San Antonio	Noe Saldana, Research Liaison	210-458-5194	noe.saldana@utsa.edu
The University of Texas Tyler	Arlene Horne, Research Liaison	903-566-7132	arlene_horne@uttyler.edu
US Access Board Lois Thibault	11331 F Street, NW, Suite 1000, Washington, DC 20004-1111	800/872-2253	thibault@Access-Board.gov
US DOT	1200 New Jersey Ave, SE Washington, DC 20590	1.866.377.8642	www.dot.gov
US Postal Services ASIST	Sandra Hunt	(512) 463-4468	
West Texas A&M University	Duane Rosa, Research Liaison	806-651-2276	drosa@mail.wtamu.edu

XI. Additional Information

A. Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate. The chart headings may be changed if needed to better reflect your agency's practices.

Complaints Against TxDOT FYs 2005 and 2006		
	FY 2005	**FY 2006**
Number of complaints received	93,741	100,966
Number of complaints resolved	93,564	100,537
Number of complaints dropped/found to be without merit	982	1,161
Number of complaints pending from prior years	24	39
Average time period for resolution of a complaint	8.2 days	8.2 days

B. Fill in the following chart detailing your agency's Historically Underutilized Business (HUB)/ Disadvantaged Business Enterprise (DBE) purchases.

Texas Department of Transportation Exhibit 17: Purchases from HUBs/DBEs				
FY 2004				
Category	**Total $ Spent**	**Total HUB $ Spent**	**Percent**	**Statewide Goal**
Heavy Construction	3,748,870,790	377,708,395	10.0	11.9%
Building Construction	22,238,562	7,056,668	31.7	26.1%
Special Trade	10,173,369	1,643,162	16.1	57.2%
Professional Services	288,753,515	80,563,969	27.9	20.0%
Other Services	182,329,235	42,906,092	23.5	33.0%
Commodities	207,452,634	17,989,029	8.67	12.6%
TOTAL	4,459,818,107	527,867,318	11.8	
FY 2005				
Category	**Total $ Spent**	**Total HUB $ Spent**	**Percent**	**Statewide Goal**
Heavy Construction	4,619,647,898	436,312,879	9.44	11.9%
Building Construction	8,790,465	945,943	10.7	26.1%
Special Trade	14,769,718	2,812,945	19.0	57.2%
Professional Services	374,329,351	93,415,504	24.9	20.0%
Other Services	209,561,973	51,257,609	24.4	33.0%
Commodities	254,140,951	28,538,221	11.2	12.6%
TOTAL	5,481,240,359	613,283,103	11.1	
FY 2006				
Category	**Total $ Spent**	**Total HUB $ Spent**	**Percent**	**Statewide Goal**
Heavy Construction	5,330,725,632	519,630,444	9.74	11.9%

Building Construction	21,386,755	784,431	3.66	26.1%
Special Trade	17,564,255	2,330,030	13.2	57.2%
Professional Services	435,181,733	80,496,965	18.4	20.0%
Other Services	248,284,559	64,631,529	26.0	33.0%
Commodities	296,078,425	32,501,019	10.9	12.6%
TOTAL	6,349,221,361	700,374,421	11.0	

* Furnished from Annual HUB Reports published by TBPC, based on agency reported data.

C. Does your agency have a HUB/DBE policy? How does your agency address performance shortfalls related to the policy?

Historically Underutilized Business Subcontracting Plan

The department shall make a good faith effort to utilize historically underutilized businesses (HUBs) in contracts for construction and services, including professional and consulting services and commodities contracts. The department adopts the Texas Building and Procurement Commission's (TBPC's) HUB Rules, 1 TAC 111.11-111.28 and encourages the use of HUBs by implementing these policies through race, ethnic and gender neutral means.

The department shall make a good faith effort to meet or exceed these goals and to assist HUBs in receiving a portion of the total purchase order value of all purchases that the department expects to award in a fiscal year. It is the policy of the department to achieve the annual program goals by contracting directly with HUBs or indirectly through subcontracting opportunities in accordance with the statute and TBPC Rules.

TxDOT obtains various reports from the Automated Purchasing System to monitor accomplishments and shortfalls with established goals, and encourages purchasers to increase the number of purchase orders awarded to HUBs. Efforts to increase HUB awards are constrained at times by lack of certified HUBs on the Centralized Master Bidder's List (CMBL) who offer many of the specialized commodities needed to support TxDOT operations. GSD also coordinates with the Business Opportunity Program Office to increase the number of HUBs registered on the CMBL and encourage HUB responses to procurement opportunities.

D. For agencies with contracts valued at $100,000 or more: Does your agency follow a HUB/DBE subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of $100,000 or more? (Tex. Government Code, Sec. 2161.252; TAC 111.14)

TxDOT has implemented a HUB Subcontracting Plan to utilize HUBs in TxDOT contracts. Purchase of goods and services valued at $100,000 or more require completion of a HUB Subcontracting Plan before a contract can be issued. The General Services Division or District Purchasing and Materials Administrator, in conjunction with the Business Opportunity Program Office, make a determination in writing whether HUB subcontracting opportunities are probable for each applicable purchase.

E. For agencies with biennial appropriations exceeding $10 million, answer the following HUB/DBE questions.

	Response / Agency Contact
1. Do you have a HUB coordinator? (Tex. Government Code, Sec. 2161.062; TAC 111.126)	Yes, the TxDOT HUB coordinator is J.D. Dossett, Director Business Opportunity Program Office 125 E. 11th Street 200 E. Riverside Drive Austin, TX 78701-2483
2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Tex. Government Code, Sec. 2161.066; TAC 111.127)	TxDOT fully participates in Economic Opportunity Forums and other outreach events and efforts. Economic Opportunity Forums are held in cities throughout Texas, seeking to attract businesses interested in contracting and procurement opportunities. Business Opportunity Program Office sponsors and attends many of these functions to provide information on TxDOT contracting and procurement opportunities.
3. Has your agency developed a mentor-protege program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Tex. Government Code, Sec. 2161.065; TAC 111.128)	TxDOT has a formal Mentor-Protégé Program: This national award winning mentor-protégé program – Learning, Information, Networking, Collaboration (LINC) – offers group training to small businesses. The goal is to increase business opportunities and the number of small businesses bidding and performing on TxDOT contracts. In the LINC Program, we mentor firms with little or no experience working with TxDOT. LINC Protégés are introduced to contractors, key TxDOT personnel, and other industry contacts. Training sessions are held throughout the state and consist of a series of meetings.

F. Fill in the chart below detailing your agency's Equal Employment Opportunity (EEO) statistics.

Texas Department of Transportation
Exhibit 18: Equal Employment Opportunity Statistics

FY 2004

Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	355	2.5	4.96%	11.0	9.98%	20.0	25.27%
Professional	4461	7.02	5.73%	18.9	18.89%	35.06	26.38%

Technical	3448	7.77	6.67%	21.66	15.92%	18.76	22.78%
Protective Services	10	20.0	18%	10.0	21%	20.0	21%
Para-Professionals	624	10.42	11.46%	21.63	17.47%	72.76	59.72%
Administrative Support	700	10.86	11.41%	28.29	17.90%	88.14	74.47%
Skilled Craft	4266	8.46	9.88%	26.42	28.33%	1.71	4.88%
Service/Maintenance	405	8.89	8.28%	37.04	48.76%	4.69	4.07%

NOTE: FY 04 data based on 1990 Census. Civilian Labor Force percentages are based on a comparison of TxDOT's workforce to similar occupations within the Civilian Labor Force.

FY 2005							
Job Category	**Total Positions**	**Minority Workforce Percentages**					
		Black		**Hispanic**		**Female**	
		Agency	**Civilian Labor Force %**	**Agency**	**Civilian Labor Force %**	**Agency**	**Civilian Labor Force %**
Officials/Administration	355	2.54	6.1%	11.55	15.4%	19.15	32.2%
Professional	4576	7.34	8.2%	19.06	13.4%	35.31	51.8%
Technical	3807	8.30	12.8%	22.59	20.2%	18.44	53.5%
Protective Services	11	27.27	16.5%	-0-	21.9%	27.27	20.2%
Para-Professionals	716	11.31	8.9%	21.79	15.6%	65.64	62.2%
Administrative Support	759	11.99	11.7%	28.99	24.6%	86.03	66.7%
Skilled Craft	4307	8.61	6.4%	26.10	37.2%	1.79	5.9%
Service/Maintenance	887	11.72	14.79%	28.86	38.55%	4.51	11.16%

NOTE: FY 05 data based on 2000 Census. Civilian Labor Force percentages are based on a comparison of TxDOT's workforce to similar occupations within the Civilian Labor Force.

FY 2006							
Job Category	**Total Positions**	**Minority Workforce Percentages**					
		Black		**Hispanic**		**Female**	
		Agency	**Civilian Labor Force %**	**Agency**	**Civilian Labor Force %**	**Agency**	**Civilian Labor Force %**
Officials/Administration	314	2.87	6.6%	11.78	15.4%	22.29	32.2%
Professional	4988	7.26	8.2%	19.47	13.4%	33.50	51.8%
Technical	3759	8.19	12.5%	23.6	18%	20.11	51.8%
Protective Services	10	20.0	16.5%	10.0	21.9%	10.0	20.2%
Para-Professionals	-	-	-	-	-	-	-
Administrative Support	1056	10.32	11.7%	24.24	24.6%	84.94	66.7%
Skilled Craft	4063	8.54	6.4%	26.61	37.2%	1.6	5.9%
Service/Maintenance	385	12.47	14.79%	40.52	38.55%	3.64	11.16%

NOTE: FY 06 data based on 2000 Census. Civilian Labor Force percentages are based on a comparison of TxDOT's workforce to similar occupations within the Civilian Labor Force.

G. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

Yes, TxDOT has an EEO policy. Each year, TxDOT updates and distributes an Affirmative Action Plan (AAP). The AAP includes TxDOT's EEO policy statement and specific goals based on a comparison of the department's workforce to the different demographic groups in the civilian labor force. These goals are used by the department and by individual units (districts) to focus recruitment efforts on groups that are underutilized. Timetables for completing these goals are listed in the AAP and progress is monitored quarterly. Statistics listed in these reports include EEO job category, gender and ethnicity.

XII. Agency Comments

Provide any additional information needed to gain a preliminary understanding of your agency.

N/A

Attachment V-D

Texas Department of Transportation

Attachment D-1 Objects of Expense by Program or Function, Fiscal Year 2006 Estimated

Object-of-Expense	Plan, Design, and Manage Transportation Projects	Contracted Planning and Design of Transportation Projects	Optimize Timing of Transportation Right-of-way Acquisition	Fund Research and Development to Improve Transportation Operations	Transportation Construction. Estimated	Support and Promote General Aviation	Contract for Transportation System Maintenance Program	Provide for State Transportation System Routine Maintenance/ Operations	Support the Gulf Intracoastal Waterway	Maintain and Operate Ferry Systems in Texas	Support and Promote Public Transportation	Support Medical Transportation	Registration and Titling	Vehicle Dealer Regulation	Traffic Safety	Travel Information	Automobile Theft Prevention	Ensure Rail Safety through Inspection and Public Education	Central Administration	Information Resources	Other Support Services	Regional Administration
Salaries and Wages	233,256,862	0	0	903,432	0	3,005,940	0	210,316,301	117,938	6,644,208	1,632,846	4,650,340	18,184,667	3,656,935	1,401,790	4,039,945	224,468	573,710	19,680,087	13,251,308	12,747,359	36,479,923
Other Personnel Costs	8,456,832	0	0	29,725	0	101,454	0	9,045,317	4,960	228,956	61,037	231,886	747,474	108,087	57,087	169,589	10,400	17,454	607,050	451,980	475,782	1,453,222
Professional Fees and Services	15,771,697	413,556,995	29,305,389	57,016	0	333,161	12,412,767	0	0	782,502	257,483	551,165	4,719,594	871,058	571,265	1,011,377	24,778	0	6,125,445	4,786,291	1,516,273	853,385
Fuels and Lubricants	3,249	0	0	0	0	300,080	0	33,645,145	0	4,771,853	0	0	0	0	0		0	3,994	0	0	870,432	7,502
Consumable Supplies	470,957	0	0	1,561	0	13,453	0	651,336	0	18,172	1,919	15,631	544,634	8,756	8,103	64,109	1,624	899	45,143	12,503	4,196,387	1,902,842
Utilities	5,387,203	0	0	8,374	0	142,710	140,918	34,631,480	2,849	389,216	22,713	509,019	716,909	56,179	14,387	680,474	5,786	10,366	305,405	818,019	901,689	4,303,219
Travel	3,674,143	0	0	163,829	0	130,218	0	1,133,181	1,376	5,968	57,401	21,694	333,984	112,761	49,741	124,915	18,030	37,601	627,173	42,032	103,306	754,879
Rent - Building	1,888,739	0	0	2,615	0	77,706	0	261,258	0	2,027	63,624	83,645	346,534	199,134	45,854	198,849	5,659	2,081	600,603	24,688	1,310,154	23,861
Rent - Machine and Other	1,395,729	0	0	13,645	0	10,645	3,113,623	0	1,667	27,061	2,730	48,402	133,812	17,139	1,322	50,976	6,268	257	106,123	71,530	1,532,219	602,689
Debt Service	1,493,806	3,657,277	8,217,077	0	251,258,412	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0	0
Other Operating Expense	30,551,535	17,449,275	30,473,581	20,903,885	17,869,405	1,790,242	397,880,238	173,361,901	34,564	8,285,188	153,672	971,406	33,861,379	288,105	7,583,705	11,088,388	323,422	73,157	9,723,956	12,171,884	12,438,703	10,653,103
Client Services	231,174	0	0	0	0	0	0	0	0	0	0	72,396,705	0	0	0	0	0	0		0	0	0
Grants	17,342,187	873,171	0	0	0	58,548,470	5,400,000		0	0	68,045,897	27,203,826	0	0	21,069,384	100,000	12,168,874	0	24,750	0	0	0
Capital Expenditures	13,330,824	0	455,759,891	5,845	2,759,249,097	418,721	1,597,346,832	48,654,876	2,181,368	11,189,639	0	0	21,920	36,650	0	496,906	0	0	310,000	3,551,261	1,467,710	4,006,592
Total	**333,254,937**	**435,536,718**	**523,755,938**	**22,089,927**	**3,028,376,914**	**64,872,800**	**2,016,294,378**	**511,700,795**	**2,344,722**	**32,344,790**	**70,299,322**	**106,683,719**	**59,610,907**	**5,354,804**	**30,802,638**	**18,025,528**	**12,789,309**	**719,519**	**38,155,735**	**35,181,496**	**37,560,014**	**61,041,217**

Attachment V-G

Fee Methodology

1	Certificate of Title (Original)	**$33 :** Fee for TERP (Tuition Emission Reduction Program) non-attainment county - $5 retained by Issuing County - $5 to GR - $3 to Other (State Highway Fund) - $20 to GR-D (Texas Emission Reduction Program Fund) **$28 :** Fee for all other counties - $5 retained by Issuing County - $5 to GR - $3 to Other (State Highway Fund) - $15 to GR-D (TERP)
2	Certified copies of original title	**$2 :** For mail in request - Other (State Highway Fund) **$5.45 :** Walk in request - Other (State Highway Fund)
3	Passenger Vehicle Registration ** See allocation formula	Base Fee **$30** - Motorcycle **$40.50** - Vehicle 6 years or older **$50.50** - Vehicle less than 6 years old but more than 3 **$58.50** - Vehicle less than 3 years old **$25.00 + $0.60 per 100 lbs** - Passenger vehicle in excess of 6000 lbs
4	Vehicle Registration (Commercial Motor Vehicle or Truck) ** SAllocaAation formula	**$25** (base fee) +

Fee for each 100 pounds for:

Gross Wgt in pounds	Equipped with pneumatic tires	Equipped with solid tires
1-6,000	**0.44**	**0.55**
6,001-8,000	**0.495**	**0.66**
8,001-10,000	**0.605**	**0.77**
10,001-17,000	**0.715**	**0.88**
17,001-24,000	**0.77**	**0.99**
24,001-31,000	**0.88**	**1.10**
31,001 and over	**0.99**	**1.32**

5	Vehicle Registration (Commercial Farm Veh. or Tractor Trailer) ** See allocation formula	**$12.50** (base fee) +

Fee for each 100 pounds for:

Gross Wgt in pounds	Equipped with pneumatic tires	Equipped with solid tires
1-6,000	**0.22**	**0.275**
6,001-8,000	**0.247**	**0.33**
8,001-10,000	**0.302**	**0.385**
10,001-17,000	**0.357**	**0.44**
17,001-24,000	**0.385**	**0.495**
24,001-31,000	**0.44**	**0.55**
31,001 and over	**0.495**	**0.66**

6	Vehicle Registration (Road Tractor) ** See allocation formula	**$25** (base fee) +

Gross Wgt in pounds	Fee for each 100 pounds for:
1-4,000	**0.275**
4,001-6,000	**0.55**
6,001-8,000	**0.66**
8,001-10,000	**0.825**
10,001 and over	**1.10**

7	Vehicle Registration (Trailer or Semi Trailer) ** See allocation formula	**$25** (base fee) +

Fee for each 100 pounds for:

Gross Wgt in pounds	Equipped with pneumatic tires	Equipped with solid tires
1-6,000	**0.33**	**0.44**
6,001-8,000	**0.44**	**0.55**
8,001-10,000	**0.55**	**0.66**
10,001-17,000	**0.66**	**0.88**
17,001 and over	**0.715**	**0.99**

8	Vehicle Registration (Truck Tractor or Combination Fee) ** See allocation formula	**$40** (base fee) +

Gross Wgt in pounds	Fee for each 100 pounds for:
18,000-36,000	**0.60**
36,001-42,000	**0.75**
42,001-62,000	**0.90**
62,001 and over	**1.00**

9	Vehicle Registration (Motor Buses) ** See allocation formula	**$25** (base fee) +

Gross Wgt in pounds	Fee for each 100 pounds for:
1-6,000	**0.44**
6,001-8,000	**0.495**

Fee Methodology		
		8,001-10,000 **0.605** 10,001-17,000 **0.715** 17,001-24,000 **0.77** 24,001-31,000 **0.88** 31,000 and over **0.99**
10	Vehicle Registration (All Terrain)	**$12**: fee for all terrain vehicles - $6 retained by county - $6 Other (State Highway Fund)
11	Vehicle Registration - 72 / 144 hour tags or One Trip	**$25** - 72 hour registration - Other (State Highway Fund) **$50** - 144 hour registration - Other (State Highway Fund) **$25** - $30 Day One Trip Tag - Other (State Highway Fund) **$5** - One Trip Tag - Other (State Highway Fund)
12	Vehicle Registration (Personalized License Plate Fee)	**$40 -** Personalized Fee - $38.75 - GR - $1.25 - Other (State Highway Fund)
13	Special License Plate Fee	**$30** : University/Organization Special Plates/Professional Sports Teams - $22 to sponsoring organization/agency - GR/GR-D/Other - $8 Other (State Highway Fund) **$40** : God Bless American & God Bless Texas - Other (State Highway Fund)* **$3**: Disabled Veteran - Other (State Highway Fund)* **$10**: Airborne Parachutist - Other (State Highway Fund)* **$3**: Distinguished Flying Cross - Other (State Highway Fund)* **$3**: Former Prisoner of War - Other (State Highway Fund)* **$10**: Gold Star Mother - Other (State Highway Fund)* **$3**: Legion of Valor - Other (State Highway Fund)* **$10**: Marine Corps League - Other (State Highway Fund)* **$3**: Pearl Harbor Survivor - Other (State Highway Fund)* **$3**: Purple Heart Recipient - Other (State Highway Fund)* **$10**: Texas Wing Civil Air Patrol - Other (State Highway Fund)* **$10**: U.S. Air Force - Other (State Highway Fund)* **$10**: U.S. Army - Other (State Highway Fund)* **$10**: U.S. Coast Guard - Other (State Highway Fund)* **$10**: U.S. Coast Guard Auxiliary - Other (State Highway Fund)* **$10**: U.S. Marine Corps - Other (State Highway Fund)* **$10**: U.S. Navy - Other (State Highway Fund)* **$15**: Classic Auto - Other (State Highway Fund)* **$15**: Classic Motorcycle - Other (State Highway Fund)* **$15**: Classic Truck - Other (State Highway Fund)* **$8**: Emergency Medical Services - Other (State Highway Fund)* **$20**: Peace Officer (To Protect and Serve) - Other (State Highway Fund)* **$2**: Radio Operator - Other (State Highway Fund)* **$4**: Volunteer Firefighter (Certified Firefighter) - Other (State Highway Fund)* *** $0.50** of each plate is paid to the county
14	Replacement Plate Fee	**$5** : replacement fee - $2.50 to county - $2.50 Other (State Highway Fund)
15	Optional Road and Bridge	**up to $10** - 97% retained by county - 3% Other (State Highway Fund)
16	Oversize Permit - 30/60/90 day	**$60**: 30 day - GR **$90**: 60 day - GR **$120**: 90 day - GR
17	Oversize Permit - Annual	**$2000** : Annual Oversize Permit - $1000: GR - $1000: Other (State Highway Fund)
18	Highway Maintenance Fee	**$50** : 80,001 to 120,000 lbs - Other (State Highway Fund) **$75** : 120,001 to 160,000 lbs - Other (State Highway Fund) **$100** : 160,001 to 200,000 lbs - Other (State Highway Fund) **$125** : over 200,001 lbs - Other (State Highway Fund)
19	Super Heavy Vehicle Supervision Fee(s)	**$800** : If analysis is performed by TxDOT **$500** : If analysis is performed by a state approved private engineer **$100** : no bridges crossed **$35** : additional identical permit loads ordered within 30 days of last permit
20	Oversize Permits (Mobile Home - Single Trip)	**$20 :** Single Trip mobile home/manufactured housing permit - $19.70: GR - $0.30: Other (State Highway Fund)
21	Oversize Permits (Mobile Home - Annual)	**$1500 :** Annual mobile home/manufactured housing permit - $1470: GR - $30: Other (State Highway Fund)
22	Oversize Permit Fee (Self-Propelled Mobile Crane - single trip)	**$31 - minimum fee - Formula below** : Other (State Highway Fund) **Fee Formula** Permit fee = Mileage to be traveled x Highway Use Factor x Total Rate per mile x Registration reduction + Indirect Cost Share **Formula Components**

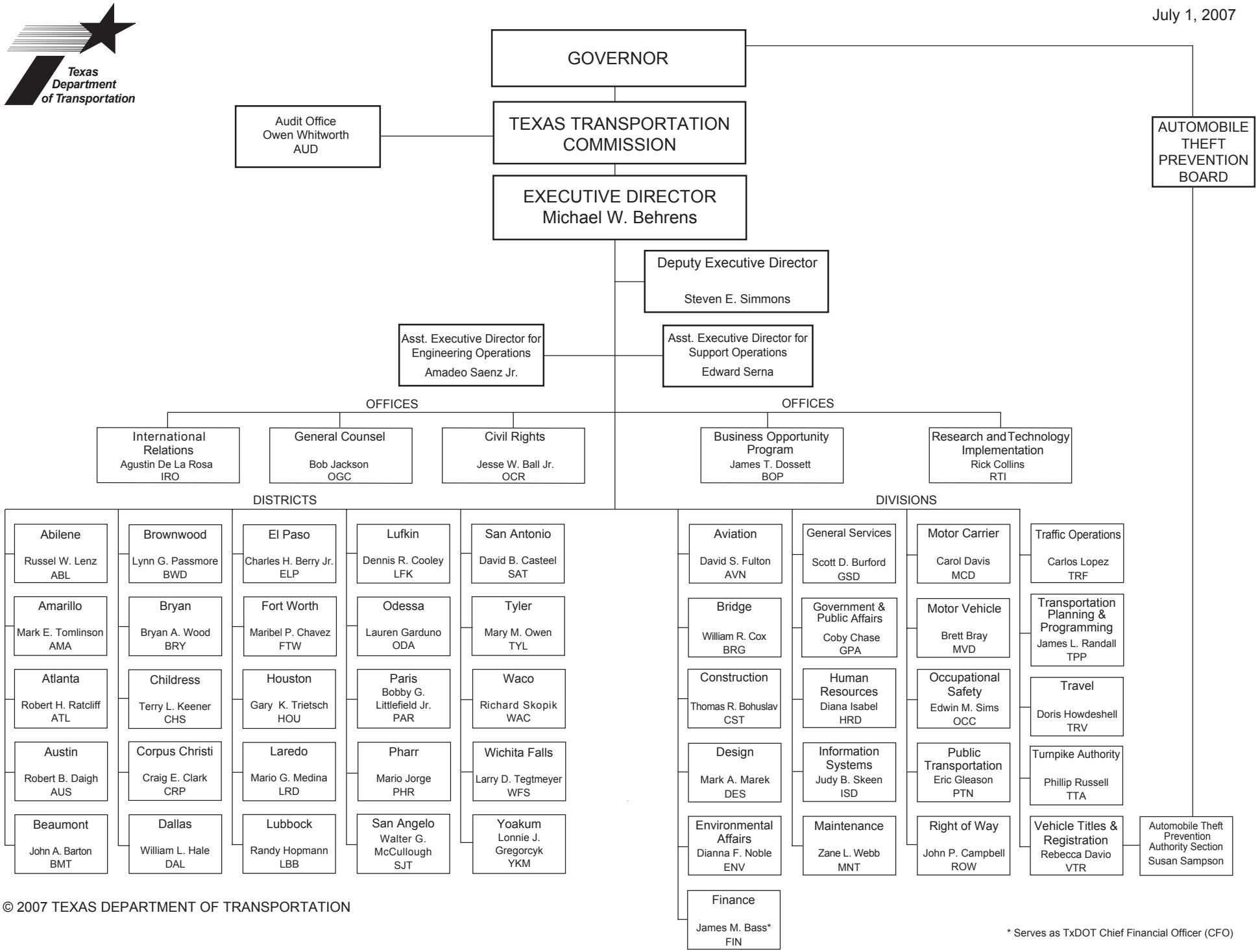
Fee Methodology		
		- *Highway Use Factor = 0.6* - *Total rate per mile = combined mileage for width, height and weight for the unit* - mileage rate for width is $0.06 per mile for each foot above legal width - mileage rate for height is $0.04 per mile for each foot above legal height - mileage rate for any single axle or any axle within a group exceeding 20,000 lbs, but is less than or equal to 25,000 lbs, is calculated by multiplying $0.045 times the amount by which the axle or axle group exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1000 lbs - mileage rate for any single axle or any axle within a group exceeding 25,000 lbs, but is less than or equal to 30,000 lbs, is calculated by multiplying $0.055 times the amount by which the axle or axle group exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1000 lbs - *Registration Reduction* = A crane registered for maximum legal weight will receive a reduction of 25% in the computation of the permit fee. - *Indirect cost share* = a prorated share of administering department activities, other than the direct cost of the activities, including the cost of providing statewide support services. The indirect cost share factor is based upon the previous year's ex
23	Oversize Permit Fee (Self-Propelled Crane/Well Service Unit - quarterly)	**$31 : minimum fee - Formula below** : Other (State Highway Fund) **Fee Formula** Permit fee = Hubometer mileage x Highway Use Factor x Total Rate per mile x Registration reduction + Indirect Cost Share **Formula Components** - *Highway Use Factor for time permit = 0.3* - *Total rate per mile = combined mileage for width, height and weight for the unit* - mileage rate for width is $0.06 per mile for each foot above legal width - mileage rate for height is $0.04 per mile for each foot above legal height - mileage rate for any single axle or any axle within a group exceeding 20,000 lbs, but is less than or equal to 25,000 lbs, is calculated by multiplying $0.045 times the amount by which the axle or axle group exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1000 lbs - mileage rate for any single axle or any axle within a group exceeding 25,000 lbs, but is less than or equal to 30,000 lbs, is calculated by multiplying $0.055 times the amount by which the axle or axle group exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1000 lbs - *Registration Reduction* = A crane registered for maximum legal weight will receive a reduction of 25% in the computation of the permit fee. - *Indirect cost share* = a prorated share of administering department activities, other than the direct cost of the activities, including the cost of providing statewide support services. The indirect cost share factor is based upon the previous year's ex
24	Oversize Permit Fee (Self-Propelled Well Service Unit) - Single Trip	**$31 - minimum fee - Formula below** : Other (State Highway Fund) **Fee Formula** Permit fee = Mileage to be traveled x Highway Use Factor x Total Rate per mile x Registration reduction + Indirect Cost Share **Formula Components** - *Highway Use Factor = 0.6* - *Total rate per mile = combined mileage for width, height and weight for the unit* - mileage rate for width is $0.06 per mile for each foot above legal width - mileage rate for height is $0.04 per mile for each foot above legal height - mileage rate for any single axle or any axle within a group exceeding 20,000 lbs, but is less than or equal to 25,000 lbs, is calculated by multiplying $0.045 times the amount by which the axle or axle group exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1000 lbs - mileage rate for any single axle or any axle within a group exceeding 25,000 lbs, but is less than or equal to 30,000 lbs, is calculated by multiplying $0.055 times the amount by which the axle or axle group exceeds the legal weight for the axle or axle group and dividing the resultant figure by 1000 lbs - *Registration Reduction* = A crane registered for maximum legal weight will receive a reduction of 25% in the computation of the permit fee. - *Indirect cost share* = a prorated share of administering department activities, other than the direct cost of the activities, including the cost of providing statewide support services. The indirect cost share factor is based upon the previous year's ex
25	Oversize Permit Fee (Over axle/Tolerance - Annual)	**$75** : Base Fee - $50: GR - $25: Other (State Highway Fund) **PLUS** **$5** : Administrative Fee **PLUS** **$125** : 1 - 20 counties selected on permit : GR or **$345** : 21- 40 counties selected : GR or **$565** : 41 - 60 counties selected: GR or **$785** : 61 - 80 counties selected: GR or **$1005** : 81 - 100 counties selected: GR or **$2000** : 101 -254 counties selected: GR
26	Highway Beautification License Fees (Signs)	**$125** : Outdoor Advertising License (Initial) - GR-D **$60** : Outdoor Advertising License (Renewal) - GR-D

Fee Methodology		
27	Highway Beautification Permit Fees (Signs)	**$96** : Outdoor Advertising Permit (Initial) - GR-D **$40** : Outdoor Advertising Permit (Renewal) - GR-D
28	Highway Beautification Permit Transfer Fees	**$25:** Transfer Fee - GR-D
29	Outdoor Signs License Fees (Rural Roads)	**$96** : Rural Outdoor Advertising Permit (Initial) - Other (State Highway Fund) **$40** : Rural Outdoor Advertising Permit (Renewal) - Other (State Highway Fund)
30	Outdoor Signs Transfer Fees (Rural Roads)	**$25:** Transfer Fee - Other (State Highway Fund)
31	Motor Vehicle Franchise Dealer Fee (by volume)	**$750** : sold more than 1600 new motor vehicles during the preceding calendar year - Other (SHF) **$625** : sold more than 1200 but less than 1601 during the preceding calendar year - Other (SHF) **$500** : sold more than 800 but less than 1201 during the preceding calendar year - Other (SHF) **$400** : sold more than 400 but less than 801 during the preceding calendar year - Other (SHF) **$275** : sold more than 200 but less than 401 during the preceding calendar year - Other (SHF) **$175** : sold less than 201 during the preceding calendar year - Other (SHF)
32	Motor Vehicle Lesser (by volume)	**$750** : leased more than 1600 motor vehicles during the preceding calendar year - Other (SHF) **$625** : leased more than 1200 but less than 1601 during the preceding calendar year - Other (SHF) **$500** : leased more than 800 but less than 1201 during the preceding calendar year - Other (SHF) **$400** : leased more than 400 but less than 801 during the preceding calendar year - Other (SHF) **$275** : leased more than 200 but less than 401 during the preceding calendar year - Other (SHF) **$175** : leased 200 or fewer during the preceding calendar year - Other (SHF)
33	General Distinguishing Number (Initial/Renewal)	**$500** : initial General Distinguishing Number (GDN) - Other (State Highway Fund) **$200** : renewal General Distinguishing Number (GDN) - Other (State Highway Fund)
34	Copying and Filing Fee	**$0.10** : photocopy (per page) - GR **$0.65 :** color copies - GR **$0.50:** non-standard size paper copies -GR
35	Salvage Dealers License Fee	**$95** : Salvage Vehicle Dealer License - GR **$95** : Salvage Vehicle Agent License - GR **$85** : Salvage Vehicle Dealer/Agent Renewal (Current) - GR **$127.50** : Salvage Vehicle Dealer/Agent Renewal (Fewer than 90 days since expiration) - GR **$170.00** : Salvage Vehicle Dealer/Agent Renewal (More than 90 days since expiration) - GR
36	Motor Vehicle Dealer Late License Fee	**50% of the amount due for each 30 days after license has expired -** Other (State Highway Fund)
37	Motor Vehicle Dealer Orders (Civil Penalty)	**Not to exceed $10,000 for each violation** - Other (State Highway Fund)
38	Motor Carrier Penalties	**Not to exceed $5,000** - GR **Not to exceed $15,000** - determined carrier knowingly committed the violation - GR **Not to exceed $30,000** - determined carrier knowingly committed multiple violations - GR
39	Drivers Responsibility Penalties	**$1,000:** Drivers License surcharge for a DWI conviction within past 36 mos. **$1,500:** Drivers License surcharge for a 2nd DWI conviction within past 36 mos. **$2,000:** Drivers License surcharge for a DWI conviction within past 36 mos. with a .16 or higher BAC. **$100:** Drivers License surcharge for six or more points related to moving violations within the past 36 mos. **$25:** Drivers License surcharge for each additional point above six within past 36 mos. **$250:** Drivers License surcharge for conviction of driving with an invalid license or without financial responsibility **$100:** Drivers License surcharge for driving without a license. **Fee Distribution for all fees:** **49.5% - Texas Mobility Fund** **49.5% - GR Account, EMS and Designated Trauma Facility** **1.0% - General Revenue Fund**
40	State Traffic Fine	**$30.00:** 67% - Texas Mobility Fund, 33% - GR Account, EMS and Designated Trauma Facility

****Allocation formula:** The fee is collected by each County Tax Assessor-Collector and is allocated between the County and the Texas Dept of Transportation (State Highway Fund) based on the formula described in Transportation Code §502.102.
Once this amount is reached, each county retains ½ of the next $250,000 collected and is required to remit the remaining ½ to TxDOT to be deposited to the credit of the State Highway Fund (Second split)
Once these levels are reached, each county remits 100% of the fee collections to TxDOT and the State Highway fund for the remainder of the calendar year.

Attachment VI-A

July 1, 2007



* Serves as TxDOT Chief Financial Officer (CFO)

IAC/PO Number	Vendor	The amount of contract expenditures in FY2006.	The # of contracts accounting for expenditures	A short summary of the general purpose of those contracts overall.	The methods used to ensure accountability for funding and performance.	Short description of any current contracting problems.	Legislative directed to contract or not.
52-6XXIA014	University of Texas at Austin	$16,305.00	1	Interagency contract with the University of Texas at Austin wherein the Center for Social Work Research conducted on-line assessment and qualitivative data gathering assessment services related to a VTR Customer Satisfaction Survey.	Oversight by PM	Contract expired prior to work being completed, resulting in cost being incurred after contract expiration. Work performed by contractor was performed satisfactorily.	None
C442002001024003	AAMVAnet	$4,684.74	1	It is used for AASHTO and AAMVA message traffic.	Funding and performance is monitored by Systems Management Section.	None	None
C442006660740000	AAMVAnet	$30,000.00	1	Miscellaneous AAMVAnet services.	Funding and performance is monitored by Systems Management Section.	None	None
B442004000207000	United Parcel Service	$611.48	1	This was a Purchase Order for delivery services. (GROUND)	Oversight by PM	None	None
C442005160953GSC	UPS Mail Innovations (RMX)	$87,092.88	1	This is a Purchase Order for courier delivery services, parcel mail expedited.	Oversight by PM	None	None
B442005200024000	United Parcel Service	$3,358.44	1	This was a Purchase Order for overnight and second day delivery services. (AIR)	Oversight by PM	None	None
52-6XXIA006	Texas Comptroller of Public Accounts	$0.00	1	This was an interagency contract wherein TxDOT was the performing agency. TxDOT procured VTR-500-RTS and VTR-31-RTS forms and the supplied them to Texas counties. TxDOT and the Comptroller's office shared in the cost. Cost sharing contract; expenditures.	Oversight by PM	None	None
696-CI-2-2-A0180	Texas Department of Criminal Justice	$0.00	1	Digital license plates - VRIMS- no money agreement	Oversight by PM	None	None
52-6XXIA002	Texas Department of Criminal Justice	$234,738.40	1	Interagency contract for the manufacturing of validation stickers, decals, placards and cardboard tags.	Oversight by PM	None	None
52-6XXIA001	TDCJ	$10,445,825.36	1	Interagency contract for the manufacturing of personalized, annual and multi-year reflectorized license plates.	Oversight by PM	None	None
52-6XXIA011	Texas Transportation Institute	$4,081.03	1	Interagency contract for data collection services related to VTR topics and issues. (intercept survey)	Oversight by PM	None	None
C442005091510000	Document Destruction Inc	$4,679.44	1	This purchase order provided collection and destruction of vehicle registration materials from the 197 County Tax Assessor-Collectors and selected sub-stations as requested.	Oversight by PM	None	None
C442005119634000	Global 360 Inc.	$1,817,936.71	1	This Purchase Order was with the firm Global 360, Inc. and was for an emergency purchase of service of microfilming, digital image capture, storage and retrieval services related to certificate of title documents.	Oversight by PM	None	None
B442006510999000	Global 360 Inc.	$344,851.84	1	This was a Purchase Order with the firm Global 360, Inc. for the purchase of service of microfilming, digital image capture, storage and retrieval services related to certificate of title documents	Oversight by PM	None	None
52-6XXIA008	Dept of Public Safety	$2,067.82	1	The DPS background check contract is in place for use in conducting a criminal background check of salvage dealer applicants to keep TxDOT in compliance with the salvage dealer license program provisions in the Texas Administrative Code and the Occupations Code for issuance of salvage dealer licenses by the department.	A monthly review of the amount of criminal history checks is conducted before making payment on invoices and the VTR project manager also has access to at any time verify all criminal history checks for the duration of the contract by amount of checks per day, week or month and/or by salvage dealer certificate applicant name. Also, since the access to the information is online, the department receives the end product (the criminal history information) immediately following the request.	None	None
C442006659300000	Global 360 Inc.	$1,600.00	1	This is a Purchase Order with the firm Global 360 for java script changes necessary due to system upgrades - software maintenance/support.		None	None
52-6XXIA009	Texas Tech University	$105,434.80	1	Contract was to survey Texas motor vehicle registration compliance, secondary purpose was to gauge the accuracy of the records in the Registration Title System.	We exercised interval project quality and completion checks to ensure accountability for funding and performance.	None	None
C442004035463000	Meadwestvaco	$22,286.28	1	This is a Purchase Order with MeadWestvaco for the printing of certificate of title envelopes (the 86-A Envelope).	Oversight by PM		
C442005201092000	Neubus	$126,518.36	1	This contract provided document digital imaging services.	Oversight by PM	Numerous performance problems.	None
C442005122760000	Anchor Computers	$5,533.16	1	This Purchase order was an emergency purchase of service for electronic information and mailing services related to the National Change of Address Services (NCOA).	Oversight by PM	None	None

C442005119899000	National Presort Services, LTD (NPSI)	$25,477.82	1	This Purchase Order was an emergency purchase of service for mailing services related to miscellaneous VTR documents.	Oversight by PM	None	None
B442002001355000	Oldfield Davis	$247,352.63	1	This contract provides advertising assistance to TxDOT Automobile Theft Prevention Authority (ATPA) in meeting objectives to provide education to automobile owners about auto theft prevention procedures and develop a public information and education program on theft prevention measures. Development of marketing plan. Production of Brochures, pamphlets, billboards, newsletters, annual reports, PowerPoint presentations, and other informational reports. Execute media buys for radio, television and print. Assist with special events, promotional activities, and press conferences. Solicit corporate involvement and matching sponsorships.	Use of internal accounting system to ensure proper payment to vendor. Quarterly public awareness updates are presented to ATPA Governor appointed Board of Directors. Additionally, the vendor shall submit a monthly schedule of work which details overall project plans prior to performing work. In addition to identification and scheduling of projected activities, each monthly schedule shall include estimated costs. Schedule of work and activities may be amended and approved as necessary and as agreed upon by ATPA and the vendor.	None	According to ATPA STATUTE, ARTICLE 4413(37) Section 8. (a) Money appropriated to the department for authority purposes shall be used by the authority to pay the department for administrative cost and to achieve the purposes of this article, including (4) conducting educational programs designed to inform motor vehicle owners of methods of preventing motor vehicle theft.
FY06/FY07							
C442005106299000	Brinks USA (no expenses) Document Destruction	$6,669.75	2	Provided service in collection and destruction of both steel and aluminum vehicle license plates.		When Document Destruction sold out to Brinks Inc and Brinks in 09/2007, Brinks has been very uncooperative in providing all needed information to process purchase order change notice.	None
C442003040385000	Business Ink	$133,886.28	1	Provides inserting and mailing services fort the Texas Certificate of Title and Certified Copy Certificate of Title.		None	None
C442006660740000	AAMVAnet	$23,451.28	1	It is used for AASHTO and AAMVA message traffic.	Funding and performance is monitored by Systems Management Section.	None	None
B442006510286000	Anchor Computer	$13,041.57	1	Certified United States Postal Service National Change of Address licensee with a Locatable Address Conversion System to provided monthly NCOA service in conjunction with the annual mailing of vehicle registrations for TxDOT.		None	None
B442006510383000	Enhanced Laser Products	$285,600.00	1	To supply printer cartridges to the 254 Tax Assessor Collectors and their sub-stations throughout the state of Texas to process vehicle registration indicia for motorists.		None	None
C442005101383000	Explore Information Services	$121,131.60	1	To Web enable the IRP process.	By measuring the number of carriers that are using the Web base system	None	None
C442005103320000	ThinkStreet	$2,666,278.88	1	Purchase order to provide public education messages to raise public awareness of the vehicle registration requirements and increase compliance with state registration laws.	Oversight by PM and research reports to prove increased public awareness and increased compliance with registration requirements.	None	None
B442006510190000	PrintMailPro.Com	$56,389.86	1	Mailing Services of Miscellaneous Special Plates Documents: one Part Renewal Notices; Courtesy Notices; Acceptance Notices; Original Insurance Cards; Windshield Sticker and Receipt; RTB/Law Enforcement Letters.		None	None
B442004000409000	PrintMailPro.Com	$364,602.56	1	Printing of Registration renewal envelopes: Forms 88-O and 88-R for the Vehicle Titles and Registration.		None	None
52-6XXIA004	Attorney General Office	$1,170.21	1	Provides a full range of legal services to the specified herein, including travel costs.		None	None
52-7XXIA003	Dept of Public Safety	$14,533.68	1	H.E.A.T - Help End Auto Theft		None	None
B442003002046000	Standard Register	$3,806,607.85	8	This purchase order provides materials, composition, quality, services sampling and testing of materials necessary for production of point of sale windshield validation stickers to be placed on windshield interior surfaces.		None	HB 3014

Total $21,023,799.71 42