

TEXAS LOCAL OPTION TRANSPORTATION ACT

A local option tool for metropolitan areas designed to raise new money for new roadways, passenger rail service, and bridges. All projects and fees must be approved by the voters.

DECISION TO CALL AN ELECTION

- Commissioners Court **may** call an election to approve new local option fees to pay for mobility improvement projects such as passenger rail systems and new roadways.
- Commissioners Court **shall** call an election if petitioned by two or more cities representing 60% of the county population, or 10% of people who voted in last gubernatorial election.

BALLOT LANGUAGE - TRANSPARENCY

- Ballot must list:
 - each proposed mobility project to be constructed,
 - the estimated cost of and completion date for each project,
 - each proposed fee with a proposed rate for capital and, if applicable, a rate for M&O,
 - the date on which the proposed rate for capital projects will expire.

PROJECT SELECTION; MUNICIPAL EQUITY

- Projects are determined by the Commissioners Court and must be on the MPO Transportation Plan; best efforts must be made to ensure that projects selected benefit cities proportionately.

METHODS OF FINANCE (NO SALES TAX)

- The menu of local option fees for voter approval include:
 - “new resident impact fee” – imposed on vehicles previously registered out of state,
 - “mobility improvement fee” – imposed on renewal of vehicle registration – not on purchase,
 - “driver fee” – imposed on driver’s license issuance and renewal (once every six years),
 - “local option gas tax” - imposed on the sale of gas (and indexed),
 - “parking fee” and “emissions fee”.

LOW INCOME RELIEF

- For any fee, the Commissioners Court may establish a waiver or reduction for persons of low or moderate income who can demonstrate financial hardship.

MONEY ACCOUNTED FOR IN SEPARATE TRANSPORTATION FUND

- All money shall be deposited into a county local option transportation fund with a separate account for maintenance and operation funds – no co-mingling with general fund.

MONEY TO REMAIN IN THE COUNTY OF ORIGIN

- Funds raised in a county can only be spent on projects located within the county (unless the County authorizes money to be spent on projects determined to benefit the region).

NO NEW BUREAUCRACY OR NEW LEVEL OF GOVERNMENT

- A county may not operate passenger rail services; DART, The-T, and DCTA will continue to provide the services and operate all systems (no new transit authorities).

NO REDUCTION OF TRADITIONAL TRANSPORTATION FUNDING

- A county using local option transportation funds may not be financially penalized with a reduction in traditional state transportation funding.