

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE  
NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 12-35**

WHEREAS, the North East Texas Regional Mobility Authority (“NET RMA”) was created pursuant to the request of Gregg and Smith Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the “RMA Rules”); and

WHEREAS, the Board of Directors of the NET RMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, subsequent to the initial formation of the NET RMA the Counties of Cherokee, Rusk, Harrison, Upshur, Bowie, Panola, Wood, Cass, Van Zandt, and Titus joined the Authority and are represented on the Board of Directors; and

WHEREAS, the biennial session of the 83<sup>rd</sup> Texas Legislature will convene on January 8, 2013; and

WHEREAS, the 83<sup>rd</sup> Legislature may consider the adoption of legislation relating to tolling, regional mobility authorities, transportation financing, comprehensive development agreements, environmental review, and other areas of potential interest to the NET RMA; and

WHEREAS, NET RMA consultants have developed a list of proposed legislative priorities, attached hereto as Attachment “A”, reflecting the interests and priorities of the NET RMA with regard to various legislative issues that may be considered by the 83<sup>rd</sup> Legislature; and


WHEREAS, the Board of Directors of the NET RMA believes that the proposed legislative priorities are in the best interest of the NET RMA and the residents of North East Texas.

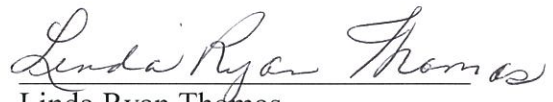
NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby approves the list of proposed legislative priorities, attached hereto as Attachment “A”.

Adopted by the Board of Directors of the North East Regional Mobility Authority on the 6th day of November, 2012.

Submitted and reviewed by:

Approved:

  
C. Brian Cassidy  
General Counsel for the North East  
Texas Regional Mobility Authority

  
Linda Ryan Thomas  
Chair, Board of Directors  
Resolution Number 12-35  
Date Passed 11/06/12

**NET RMA Legislative Priorities  
83<sup>rd</sup> Legislative Session**

The following is a list of priorities for the 83rd Legislative Session:

**1. Toll Enforcement Remedies:** As RMAs open newly constructed toll projects to traffic, effective toll enforcement and collection is becoming an increasingly significant issue. While legislation passed last session gave RMAs the same enforcement powers as the North Texas Tollway Authority (NTTA), county toll road authorities, and TxDOT, these powers provide limited options to address the problem of chronic toll violators. RMAs, working with TxDOT, NTTA and other toll authorities, will support legislation to expand the currently available enforcement measures to include methods such as vehicle registration renewal block for chronic non-payment of tolls, enhanced penalties for use of toll facilities by chronic violators, and other potential remedies and deterrents. Further, enhanced remedies to address out-of-state (including international) violators are needed.

**2. Revolving Fund:** The concept of a revolving fund for transportation projects has been proposed in various forms during past legislative sessions, most recently as HB 3218 by Representative Larry Phillips during the 82nd Legislative Session. RMAs continue to support the creation of a revolving fund, either within the existing State Infrastructure Bank ("SIB") structure or as a separate, stand-alone fund. The revolving fund would serve to provide funding for a variety of purposes, including upfront project costs, a source of "gap" funding (i.e., the difference between bonding capacity and project costs), and as a possible credit enhancement tool, allowing RMAs to issue bonds to finance projects at more favorable rates. RMAs also support creating a subaccount with this revolving fund which would only include state funds, allowing for local development of projects pursuant to the streamlined environmental review process implemented last legislative session.

**3. Transportation Reinvestment Zones:** Transportation Reinvestment Zones (TRZs) offer an important tool for generating local funding for projects. The TRZ statute was significantly improved during the 82nd Legislative Session through the passage of HB 563 by Representative Joe Pickett and certain provisions in SB 1420, bills which were strongly supported by RMAs. The RMA statute was also amended (by virtue of HB 1112) to include provisions making TRZs a viable tool for funding RMA projects. RMAs support continued efforts to improve TRZs to facilitate further use of this valuable project financing tool, and will support legislation further clarifying the TRZ statutes to make implementation easier based on actual experience.

**4. Increased Transportation Funding:** There is a dire need for increased funding for the state's transportation system. Some estimates indicate that there will be little or new funds available for new construction as early as 2014, and that all available funding will be needed for maintenance and rehabilitation. In addition to tools intended to enhance funding capabilities (such as the SIB/revolving fund and TRZs), RMAs will support viable options to

increase funding at the state or local level, including without limitation the dedication of vehicle sales tax revenues to the state highway fund.

**5. Project-Specific CDA Authority:** In the 82nd Legislative Session, SB 1420 (the TxDOT Sunset bill) authorized certain projects to be developed as concession Comprehensive Development Agreement (CDAs). If supported by the local legislative delegation, we will seek to add Segments 4, 6, 7, and 8 of Toll 49 to those projects having CDA authority.