

TEXAS DEPARTMENT OF TRANSPORTATION

# TxDOT: Open For Business

REGIONAL MOBILITY AUTHORITIES



# The *New* Texas Roadmaps



Texas has some *big transportation challenges*, but we have *big plans* that are producing *big results*. The Texas Department of Transportation has three key publications that will not only keep you up to speed, they'll put you in the driver's seat.

**TxDOT has a Plan** is our strategic vision,

**TxDOT: Open for Business** shows you how to build projects faster,

and

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You can find all these publications and Keep Texas Moving subscription information at:

[www.KeepTexasMoving.com/index.php/stay\\_informed](http://www.KeepTexasMoving.com/index.php/stay_informed)

[www.TxDOT.gov](http://www.TxDOT.gov) – keyword: Strategic Plan

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Regional Mobility Authorities (RMAs) are one of the ways in which the Texas Department of Transportation is proclaiming its status as “Open for Business,” and opening the door to private sector investments in our transportation system.

Our initiative, “TxDOT: Open for Business,” focuses on innovative financing as well as partnerships between the agency, local officials, and the private sector. It is a way to broaden the options available for solving the traffic congestion, safety and mobility issues that impact the quality of life for communities throughout the state.

As always, TxDOT will be there as a guide through the process of establishing an RMA and acting as an advocate for communities interested in implementing transportation solutions. We’re open for business and ready to get to work with you.

# Our Goals

We have developed five well defined goals to help us achieve our mission and make it easy for the public to evaluate our effectiveness:

1. Reduce *congestion*
2. Enhance *safety*
3. Expand *economic opportunity*
4. Improve *air quality*
5. Increase *the value of transportation assets*

# SECTION



## GENERAL INFORMATION

### What is the Regional Mobility Authority?

A Regional Mobility Authority (RMA) is a political subdivision formed by one or more counties to finance, acquire, design, construct, operate, maintain, expand or extend transportation projects.

***Projects may be tolled or non-tolled.***

### Benefits of Creating an RMA

- Generates revenue for additional transportation projects
- Provides local governments more control in transportation planning

- Helps build transportation projects sooner, bringing congestion relief faster
- Improves mobility and increases safety for motorists

### Powers of an RMA

- Develop a transportation project
- Issue revenue bonds
- Establish tolls
- Acquire or condemn property for transportation projects
- Use surplus revenue to finance other local transportation projects
- Enter into a Comprehensive Development Agreement (CDA)
- Apply for federal highway and rail funds
- Enter into contracts with other governmental entities and Mexico
- Apply for State Infrastructure Bank loans
- Maintain a feasibility fund
- Set speed and weight limits consistent with state guidelines

### Revenues Generated by an RMA

*(Transportation Code, Section 370.172)*  
To support operations, revenue can be generated from several sources:

- Tolls, fares or other charges from transportation projects
- Proceeds from the sale or lease of a transportation project
- Proceeds from the sale or lease of property adjoining a transportation project

### Responsibilities of the Texas Transportation Commission

The state legislature gave the transportation commission

oversight of RMAs. Specifically, the commission will:

- Authorize creation of RMAs
- Approve projects connecting to the state highway system or rail facility
- Establish design and construction standards for projects connecting to the state highway system or rail facility
- Establish audit and reporting requirements; ethical standards for directors and employees
- Authorize RMAs to enter into contracts with Mexico
- Approve addition or withdrawal of counties
- Approve dissolution of an RMA
- Approve RMA application for federal highway or rail funds

### History

*November 6, 2001*

Proposition 15, a constitutional amendment, authorized the creation of RMAs. The proposition was approved by 68 percent of voters.

*June 2003*

House Bill 3588 became law, amending the statute governing RMAs.

*October 30, 2003*

TxDOT proposed the adoption of new rules incorporating changes to the RMA statute, as amended by the Legislature.

*February 26, 2004*

Final adoption of new rules by Texas Transportation Commission.

## Eligible Entities

*(Title 43, Texas Admin. Code, Section 26.11)*

Any county, including one that is part of an existing tollway authority, may form an RMA. Legislation also allows the City of El Paso, Laredo, Brownsville, McAllen and Port Aransas to form an authority.

## Geographic Boundaries

- Counties forming an RMA do not have to be adjacent to one another
- The service area of an RMA may overlap with another RMA (e.g. an individual county may form its own RMA and may also be part of another RMA).

## Petition and Approval Process

### STEP 1

Submit Petition to  
Transportation Commission

### STEP 2

Review by TxDOT/  
Schedule Public Hearing

### STEP 3

Decision by  
Transportation Commission

Petitions should be submitted to the chair of the Texas Transportation Commission.

Petitions will be reviewed by the TxDOT to ensure the application is complete. If deficiencies are identified, the department will work with the county (or counties) to address the issues and schedule a public hearing. TxDOT will address public comments submitted during the hearing and make a recommendation to the Transportation Commission. Official action to establish an RMA will come from the

Transportation Commission in the form of a minute order.

### STEP 1:

SUBMIT PETITION TO  
TEXAS TRANSPORTATION  
COMMISSION

*(Title 43, Texas Admin. Code, Section 26.11)*

### PETITION REQUIREMENTS

- Resolution from commissioners court of each county
- Description of impact on regional mobility
- Identification of proposed transportation project:
  - Project inclusion in local and state transportation plans
  - Description of known environmental, social, economic or cultural impacts
  - Description of known opposition to proposed project, including names and addresses of individuals and organizations opposed to the project
  - Preliminary financing plan
- Agreement by RMA to obtain environmental permits and fulfill commitments
- List of other potential RMA projects under consideration
- Appointment process of board members (i.e. involvement of city, county or other local governmental entities in selecting board members)

### STEP 2:

REVIEW PETITION  
AND SCHEDULE A  
PUBLIC HEARING

*(Title 43, Texas Admin. Code, Section 26.12)*

- TxDOT will review petition to ensure all requirements have been met before a public hearing date can be set. If the petition is not complete, it will be returned to the petitioner to address deficiencies

# SECTION II



## RMA FORMATION

- TxDOT will hold one or more public hearings to receive comments on the petition
- TxDOT will post notice of public hearing in Texas Register.
- County will advertise the hearing in accordance with a public outreach plan developed with TxDOT

### RECOMMENDED PUBLIC OUTREACH ACTIVITIES

- Post legal notice in classified section of area newspapers
- Place an advertisement in general circulation sections of area newspapers
- Write letters to neighborhood associations, affected political subdivisions or community groups
- Post hearing information and petition on county website
- Other innovative outreach activities targeting the general public

# SECTION II



## RMA FORMATION

### **STEP 3:** DECISION BY TEXAS TRANSPORTATION COMMISSION (Title 43, Texas Admin. Code, Section 26.13)

To approve a petition, the transportation commission will consider the following:

- Sufficient public support based on public hearings, resolutions/ opinions from affected political subdivisions and the metropolitan planning organization

- Benefit to the traveling public
- Improvement of regional and statewide mobility
- Project consistency with local and state transportation plans
- Agreement by RMA to obtain environmental permits and fulfill commitments
- Composition of the board will adequately represent affected political subdivisions

### BOARD OF DIRECTORS (Title 43, Texas Admin. Code, Section 26.16)

- Each county will appoint an equal number of members (minimum of two)
- The governor will appoint an additional member as the presiding officer
- Directors will be appointed to two-year terms and may be re-appointed at the discretion of the appointing entity

### ADDITION OF COUNTIES (Title 43, Texas Admin. Code, Section 26.21)

Addition of a county may be approved by the Texas Transportation Commission if:

- County to be added submits a resolution
- RMA board agrees in writing
- Affected political subdivisions of the county to be added have adequate representation
- Regional and statewide mobility improves

### WITHDRAWAL OF COUNTIES (Title 43, Texas Admin. Code, Section 26.22)

Withdrawal of a county may be approved by the Texas Transportation Commission if:

- RMA has no unpaid or outstanding bonds

- RMA has debt other than bonds, the RMA board must also approve the withdrawal

### DISSOLUTION OF AN RMA (Title 43, Texas Admin. Code, Section 26.23)

A voluntary dissolution must be approved by the transportation commission.

To approve a *voluntary dissolution*:

- Debts, obligations or liabilities must be paid
- No legal actions or judgments are pending; if so, provisions are in place to address these actions
- RMA projects, if any, must meet maintenance requirements

An *involuntary dissolution* may be ordered by the transportation commission on the grounds that the RMA has not substantially met its requirements as an authority. For an involuntary dissolution to be ordered, there must be:

- No outstanding debts, obligations or liabilities
- No legal actions or judgments pending; if so, provisions must be in place to address them

If dissolution is ordered by the commission:

- Creditors, if any, must agree to the dissolution
- RMA must be given written notice and offered an opportunity to speak before commission, at least 30 days prior to adopting an order of dissolution

## Eligible RMA Projects

(Title 43, Texas Admin. Code, Section 26.2 and Transportation Code, Section 370.003)

- Tolled or non-tolled roadway
- Passenger or freight rail (tracks, locomotive equipment and facilities)
- Ferry
- Airport
- Pedestrian or bicycle facility
- Intermodal hub
- Border crossing inspection station
- Automated conveyor belt for the movement of freight
- Air quality improvement initiative
- Public utility facility
- Project listed in State Implementation Plan (air quality plan)
- Project listed in the Unified Transportation Program
- Project listed in MPO long-range plan

## Public Utilities

- A public utility facility is defined as:
  - water, wastewater, natural gas or petroleum pipeline
  - electric transmission or distribution line
  - telecommunications information services, cable television service, fiber optic cable, wireless communication facilities
- An RMA may not directly provide utility services but may install and construct a public utility and request removal and relocation
- Regulations regarding removal and relocation are described in Transportation Code, Section 370.170

## Commercial Vehicle Facility

(Transportation Code, Section 370.191)

These provisions apply only to a port of entry for land traffic from Mexico:

- Construction must include Intelligent Transportation Systems for Commercial Vehicle Operations
- RMA must coordinate with state and federal transportation officials to develop interoperability standards
- Facility must be used for other regulation and enforcement functions related to commercial vehicles
- Development of these facilities by an RMA is subject to availability of federal construction funds

## Project Designation

(Title 43, Texas Admin. Code, Section 26.43 and Transportation Code, Section 370.301)

- A project by an RMA is not part of the state highway system unless agreed to by the RMA and TxDOT

## Acquisition of Property

(Transportation Code, Section 370.163)

- An RMA has the same powers as the transportation commission in acquiring property

(Transportation Code, Section 370.166)

- A property owner may receive a percentage of revenue generated from the transportation project in lieu of payment for property

# SECTION III



## TRANSPORTATION PROJECTS

# SECTION III



## TRANSPORTATION PROJECTS

### Environmental Review

- All transportation projects must undergo environmental review either by following the National Environmental Policy Act, or
- Environmental rules established by the authority, in cases where the federal environmental rules do not apply
- Environmental review must be completed before requesting commission approval

### Extending into Other Counties

*(Transportation Code, Section 370.161)*

An RMA may acquire, construct, operate, maintain, expand or extend a transportation project into counties not within the RMA geographic area if:

- Project is an extension of an existing RMA project located in the adjacent county
- County is allowed to join the RMA, and
- County commissioners court agrees to the RMA action

### Extending to Another State or Mexico

*(Transportation Code, Section 370.161)*

An RMA may acquire, construct, operate, maintain, expand or extend a transportation project into another state or Mexico if:

- A city that borders Mexico has a population of 500,000 or more
- Political subdivisions where the project will be located approve of the RMA action
- RMA member counties/cities receive significant transportation benefits
- The county of another state/Mexico is adjacent to the RMA county/city where the project is being developed
- Texas governor approves project development



## Design, Construction and Contracts

*(Title 43, Texas Admin. Code, Section 26.44)*

For an RMA project connecting to a state highway or rail facility, TxDOT design and construction standards must be followed for the entire length of the RMA project.

TxDOT review and approval of design and construction plans are required for the segment of the project that connects to a state highway or rail facility. The following rules apply:

- All designs shall comply with the latest version of the department's manuals
- Exceptions to the state design and construction specifications may be granted by TxDOT's executive director (or designee) on a case-by-case basis
- Access shall be in compliance with the department's access management policy
- Preliminary design plans (30% complete) must be submitted to TxDOT for review and approval
- Final design plans must be submitted to TxDOT for review and approval according to the procedures and timelines outlined in the project development agreement between TxDOT and RMA
- The segment of the project may not be advertised for bids until TxDOT approves preliminary specifications and estimates
- Major contract revisions related to the connections to a state transportation facility must be approved by TxDOT's executive director (or designee). Major contract revisions are defined in Title 43, Texas Admin. Code, Section 26.44

- If federal funds are used, alternate design specifications require approval by Federal Highway Administration
- If the connection to the state highway or rail facility changes the access control line to an interstate highway, an RMA must submit necessary data to TxDOT before requesting approval from Federal Highway Administration

## Project Development Agreement

*(Title 43, Texas Admin. Code, Section 26.48)*

If a project connects to a state highway or rail facility, the RMA and TxDOT will enter into a project development agreement that describes at minimum:

- Responsibilities of each party regarding environmental permitting, design and construction
- Procedures for submission of all materials used in the development of the project including, but not limited to, computer files, documentation, design and construction plans, if applicable
- Timelines for approvals by TxDOT executive director (or designee), if applicable

## Project Operation Agreement

*(Title 43, Texas Admin. Code, Section 26.54)*

If a project connects to the state highway or rail facility, the RMA and TxDOT will enter into a project operating agreement for various functions. The agreement may include maintenance and operation, provided the RMA reimburses TxDOT for associated costs.

# SECTION IV



## PROJECTS CONNECTING TO STATE HIGHWAY OR RAIL FACILITY

### Toll Interoperability

*(Title 43, Texas Admin. Code, Sections 26.53 and 27.53)*

- To ensure efficient operation of toll roads in Texas, compatibility of the toll collection system will be considered when an entity, such as an RMA, requests state funding assistance for a toll facility
- The funding request must include a description of how the toll collection system will be compatible with other toll collection systems operated by other entities in the state

# SECTION V



## CONVERSION AND TRANSFER OF A STATE TRANSPORTATION FACILITY

### Eligible Transportation Facilities

(Title 43, Texas Admin. Code, Sections 27.11 and 27.41)

- A non-tolled segment of the state highway system
- A turnpike project on the state highway system
- A state-operated ferry service (Transfer of a ferry located in a city of 5,000 or less must have approval from the city council)

### Conversion and Transfer Process

#### STEP 1:

#### SUBMIT REQUEST

(Title 43, Texas Admin. Code, Sections 27.13 and 27.14)

RMA submits written request to the transportation commission.

The request must include:

- Impact on regional mobility
- Description of known environmental, social, economic or cultural impacts
- Description of known opposition to the conversion/transfer, including names and addresses of individuals and organizations that are opposed
- Description of known controversies related to the conversion/transfer
- Studies related to the conversion/transfer

- Agreement to obtain environmental permits and fulfill commitments

#### STEP 2:

#### PUBLIC HEARING

(Title 43, Texas Admin. Code, Sections 27.13 and 27.14)

If the transportation commission determines it is important to the region's overall plan to improve mobility, TxDOT will:

- Hold one or more public hearings in the county where the facility is located
- Hold one or more informal public meetings, preferably in the project area
- Solicit written comments
- Publish hearing/meeting notices, at least ten days in advance

#### PUBLIC NOTICES

To solicit comments regarding an RMA's request to convert/transfer a state highway, turnpike or ferry, TxDOT will:

- Publish a notice in the Texas Register, TxDOT and RMA websites, and in newspapers where the facility is located, including each county of the RMA
- Make available for public review the RMA request and any studies related to the conversion/transfer. If practical, this information will be posted on the TxDOT and RMA websites

### STEP 3:

#### DECISION BY TEXAS TRANSPORTATION COMMISSION

*(Title 43, Texas Admin. Code,  
Sections 27.13 and 27.14)*

Request for conversion/transfer by an RMA will be posted on a transportation commission meeting agenda for formal action. Approval by the commission is conditioned on approval of the governor. After considering public input, the transportation commission will approve the transfer if:

- Conversion/transfer provides a direct benefit to the traveling public
- RMA agrees to assume responsibility for maintenance and operation
- RMA agrees to comply with all applicable federal regulations and policies
- RMA assumes responsibility for environmental permitting and related commitments
- RMA has adopted rules and guidelines for approving the transfer

#### CONVERSION OF A NON-TOLLED HIGHWAY

For conversion/transfer of a non-tolled highway, the transportation commission will also consider the availability of a reasonable, non-tolled alternate route. To determine a reasonable, non-tolled

alternate route, the commission will take into account the impacts on nearby neighborhoods and the length of the alternate route.

#### COUNTY APPROVAL

A referendum may be required in order to convert a non-tolled facility or tolled facility as coordinated through TxDOT.

#### CONDITIONAL APPROVAL

*(Title 43, Texas Admin. Code,  
Sections 27.13 and 27.14)*

- The transportation commission may choose to give conditional approval of a conversion/transfer pending completion of preliminary studies needed to make a decision. Preliminary studies may focus on social, economic and environmental issues, as well as a traffic and revenue forecast

- After completion of preliminary studies, the department will follow the steps outlined in *Step 2: Public Hearing*

- Final approval may be granted following consideration of the items listed in *Step 3: Decision by the Texas Transportation Commission*

## Use of Surplus Revenue

*(Title 43, Texas Admin. Code,  
Section 26.55, 26.74 and 27.14)*

As a condition of the conversion, the transportation commission may require any surplus revenue generated to be used on projects in the region's metropolitan transportation plan or state transportation plan. Revenue generated by a converted non-toll state highway may only be used for the improvement or operation of the converted highway.



# SECTION VI



## PROJECT FINANCING

### Revenue Bonds

*(Transportation Code Sections 370.111, 370.113, 370.116)*

- An RMA may issue tax-exempt revenue bonds for a term not to exceed 40 years. These bonds may be repaid from any financial source available to the authority. Bonds may not be repaid with revenue from a transportation project that is not part of the same transportation system for which the bonds were originally issued
- The Texas Attorney General (or designee) must approve the bonds before they can become binding obligations
- Bonds issued by an RMA do not constitute a debt of the state or of a governmental entity, or a pledge of the faith and credit of the state or of a governmental entity

### Comprehensive Development Agreements

*(Transportation Code, Section 370.305, 370.306)*

- An RMA may enter into a CDA at a minimum, to design and construct a transportation project. It may also include financing, acquisition, maintenance and operation
- To award a CDA, a competitive process must be followed that results in the selection of the best value for the region. An

RMA is required to adopt rules and procedures governing the CDA procurement process

### RMA Feasibility Fund

*(Transportation Code, Section 370.071 – 370.073)*

- A feasibility fund can be established by an RMA with surplus revenue from a transportation project
- The fund may be used to study potential transportation projects, develop preliminary engineering plans, assess a project's toll viability, or payment for costs associated with a bond issuance. If feasibility funds are used to prepare and issue bonds, the fund must be reimbursed from bond proceeds or other revenue associated with the transportation project for which the bonds were issued
- Feasibility studies may be paid for by other government entities or private groups, which may be reimbursed from proceeds or revenue generated from the transportation project

### State Highway Funds

*(Title 43, Texas Admin. Code, Section 27.54)*

If TxDOT provides federal or state funds for an RMA turnpike project, the project's development must comply with TxDOT rules related to the maintenance and operation of the toll facility.

## Texas Department of Transportation

*(Title 43, Texas Admin. Code Sections 27.50-27.58)*

- TxDOT may loan or grant funds to the RMA for the acquisition, construction, maintenance and operation of a turnpike project or related costs
- TxDOT may assist in, or cover the costs of, financial or traffic and engineering feasibility studies for a turnpike project
- Any funding participation by TxDOT in a turnpike project will follow the rules of financial assistance for toll facilities

*(Transportation Code, Section 370.033)*

- State highway funds and state general revenue funds may only be used for a toll facility

## Texas Mobility Fund

- The Texas Mobility Fund, a funding source supported by transportation-related fees, allows the transportation commission to issue up to \$3 billion in bonds
- Bonds issued under the Texas Mobility Fund may be used to finance construction or improvements to state highways, publicly owned toll roads and other public transportation projects

- Projects financed by the Texas Mobility Fund are selected at the discretion of the transportation commission

## State Infrastructure Bank

- The State Infrastructure Bank (SIB) is open to any public or private entity authorized to construct, maintain or finance a highway project
- Eligible projects are typically on the state highway system and included in the Statewide Transportation Improvement Plan. However, there are some exceptions to the eligibility rule
- The SIB program is administered by TxDOT. An applicant handbook is located on the Internet (<http://www.dot.state.tx.us/services/finance/default.htm>)

## Federal Funds

*(Title 43, Texas Admin. Code Sections 27.50-27.58)*

- RMA turnpike projects using federal funds provided by TxDOT must comply with rules related to financial assistance for toll facilities

*(Transportation Code, Section 370.033)*

- Applications for federal highway or rail funds must be approved by TxDOT

# SECTION VII



## FINANCING FROM OTHER SOURCES

# SECTION VIII



## Surplus Revenue

(Title 43, Texas Admin. Code, Section 26.02)

Surplus revenue is defined as revenues that exceed:

- Debt service and coverage requirements of a bond indenture
- Operation, maintenance, expansion, repair and improvement costs
- Allocation for feasibility studies
- Necessary reserve funds

## Uses for Surplus Revenue

(Title 43, Texas Admin. Code, Sections 26.46, 26.61 and 26.65)

Each year, if an RMA determines it has surplus revenue from transportation projects, it may:

- Reduce tolls, or
- Deposit in the Texas Mobility Fund, or
- Develop or extend a transportation project, tolled or non-tolled, by:
  - Constructing a transportation project in a county of the RMA
  - Assisting in financing a project of another governmental entity
  - Constructing a project and transferring it to another

governmental entity, with approval of the transportation commission

## Constructing RMA Project with Surplus Revenue

(Title 43, Texas Admin. Code, Section 26.3)

With surplus revenue, an RMA may construct a tolled or non-tolled project and transfer it to another governmental entity, with approval of the transportation commission.

### APPROVAL CRITERIA

The transportation commission will consider the following:

- Anticipated reduction in traffic congestion
- Potential social, environmental and economic impact
- Project inclusion in local and state transportation plans
- Impact to state highway funds (i.e., reduce state contributions in the project)

## Written Reports Submitted to TxDOT

(Title 43, Texas Admin. Code, Section 26.81)

Each year, an RMA is required to submit to TxDOT various investment and financial reports. Generally, these reports must

# OPERATING PROVISIONS

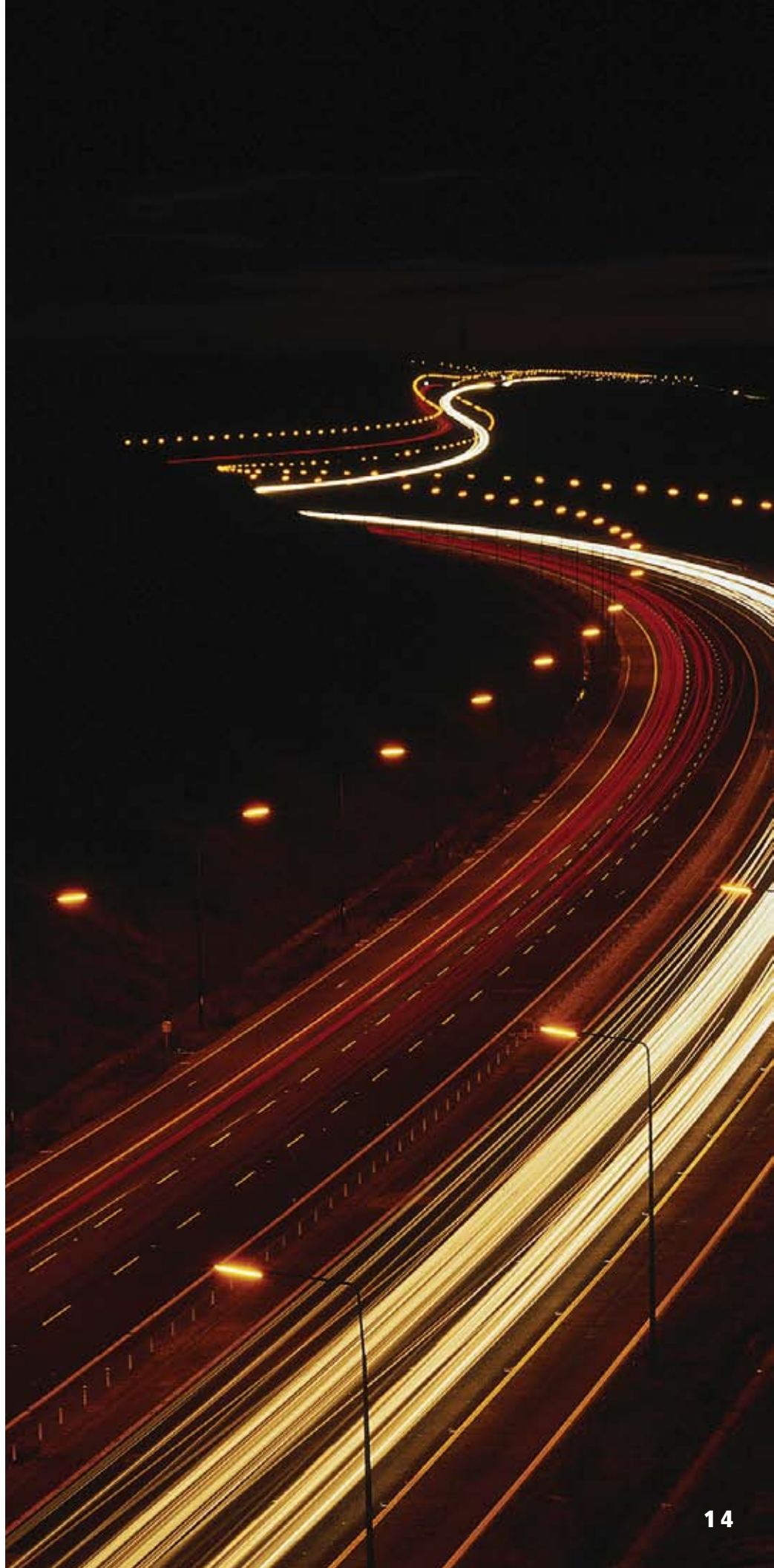
be submitted to TxDOT's Audit Office within 90 days of the beginning of the fiscal year (September 1), or upon approval by an independent auditor. Annual audit reports are also required and must be submitted within 120 days of the ending of the fiscal year (August 31).

#### TYPES OF REPORTS

- Annual operating and capital budgets
- Notices of material events to be disclosed under the U.S. Securities and Exchange Commission
- Surplus revenue and summary of how it will be used
- Investment reports reviewed by independent auditor
- Annual audit

#### SUBMISSION DATES FOR REPORTS

- Before submission to TxDOT, all reports must be approved by the RMA board
- Budget and surplus revenue reports must be submitted to the executive director within 90 days of the beginning of the fiscal year; financial and investment reports must be submitted to the executive director within 30 days after disclosure or approval of independent auditor's review



# APPENDIX A

## Organizational Activities in Forming an RMA

This is intended as an overview of organizational activities that may need action by a county or RMA. This summary is based on development of other RMAs, turnpike projects, statutory requirement and TxDOT rules.

### Formation

- County commissioners court authorizes preparation of RMA petition
- County commissioners court adopts resolution supporting RMA formation and authorizes submitting the petition and resolution to TxDOT
- County and local supporters submit to TxDOT resolutions of support from metropolitan planning organization and other “affected” governmental entities
- TxDOT reviews petition
- If complete, county staff/consultants and TxDOT develop a public outreach plan
- TxDOT conducts one or more public hearings to receive public input (consistent with outreach plan)
- Texas Transportation Commission takes action on petition. If RMA formation is approved, the

- commission will adopt minute order designating size of RMA board of directors and will identify candidate project
- County commissioners court adopts resolution accepting minute order and forming RMA

### Organization

- County commissioners court appoints board of directors (two-year terms)
- Governor appoints chair of the board of directors
- RMA board convenes organizational meeting
- RMA board begins process of developing and adopting policies, including:
  - Bylaws
  - Procurement policies (covering traditional goods and services; receipt and processing of unsolicited proposals, and administration of CDA procurement process)
  - Environmental review policies (to conduct environmental reviews of non-NEPA projects)
  - Conflict of interest policy
  - Transfer and conversion rules and policies
  - Business Opportunity Program and Policy (regarding DBE/HUB utilization)
  - Employee drug and alcohol testing policy
  - Rules for use of authority transportation projects (establishing tolls, user fees, speed and weight limits, etc.)
- RMA board begins process of hiring staff/consultants, such as:

- Executive director
- General engineering consultant
- Legal counsel
- Financial advisor
- Accountant
- Investment banker/underwriters
- Bond counsel
- CPA/auditors
- Trustee for bond indenture
- Authorize opening of bank account(s)
- Secure surety bonds for directors and liability insurance coverage
- Authorize preparation and submission of toll equity grant request

### NOTE:

The timing and sequence of the adoption of various policies and the hiring of certain personnel will depend on the project development activities of the RMA. For example, the hiring of a general engineering consultant and legal counsel may be necessary in the early organizational stages to secure advice concerning public meetings, project studies and related items, whereas bond counsel and underwriters may be deferred until a project is closer to fruition. Similarly, bylaws and procurement policies are important to adopt early in the organizational process, whereas policies concerning speed limits and toll rates can be deferred until a project is closer to the development phase.



# APPENDIX B

## List of Reference Documents

HOUSE BILL 3588 (78th Legislature, Regular Session)

Article 2 – Regional Mobility Authorities (Codified as Chapter 370,  
Transportation Code)

TEXAS ADMINISTRATIVE CODE (Title 43, Part I, Chapter 26 –  
Regional Mobility Authorities)

TEXAS ADMINISTRATIVE CODE (Title 43, Part I, Chapter 27 –  
Toll Projects)

### STATE INFRASTRUCTURE BANK PROGRAM

A handbook is available at

<http://www.dot.state.tx.us/services/finance/default.htm>

For more information contact: TxDOT's Finance Division  
at (512) 463-8684

### TOLL FEASIBILITY ANALYSIS GUIDE

A brochure is available at <http://www.txdot.gov/publications/turnpike.htm>

For more information contact TxDOT's Texas Turnpike Authority  
Division at (512) 936-0903

# APPENDIX C

## Contact List

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**James Bass**  
Chief Financial Officer  
(512) 463-8684

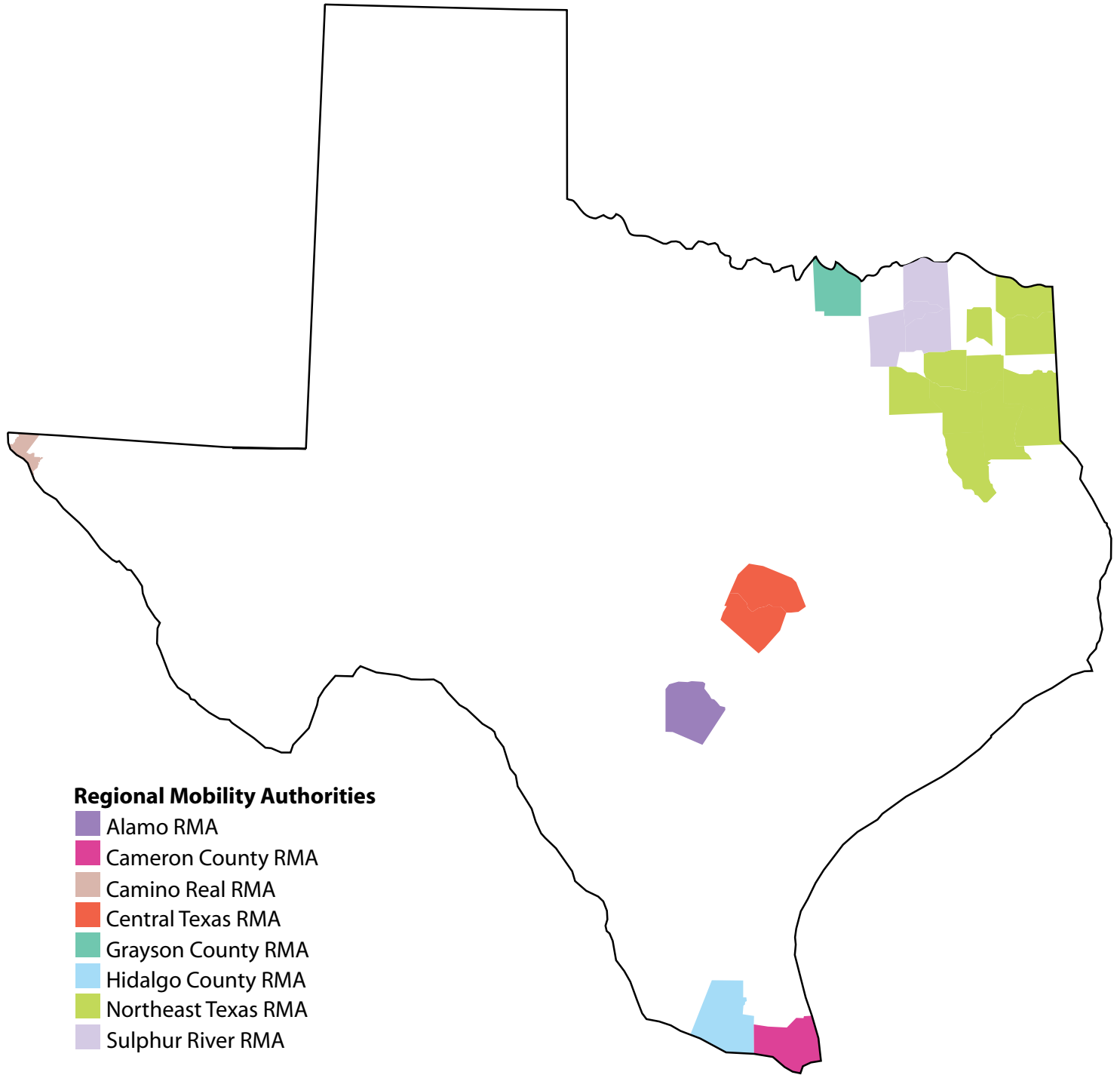
**Dorn Smith**  
Manager, State Infrastructure  
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(512) 463-8721



# APPENDIX D

## Map of Texas Regional Mobility Authorities

as of September, 2007



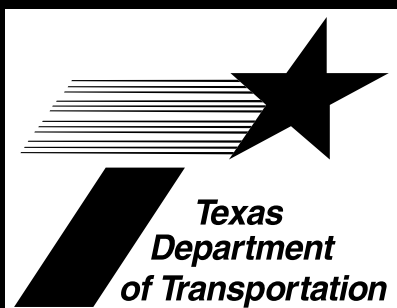


# HOW TO GET STARTED

TxDOT is "Open for Business" and we're ready to help you improve traffic flow and safety in your community. The first call you make is to Phillip Russell. You'll work in concert with him and with the TxDOT professionals in your area who know about these mobility tools and will be your partners in this process.

**We want to thank you for your interest and commitment to improving the transportation network in your community and the entire Lone Star State.**

Phillip E. Russell, P.E., J.D.  
Director of Texas Turnpike Authority Division  
(512) 936-0903



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