

TEXAS TRANSPORTATION COMMISSION

MINUTE ORDER

ALL Counties

ALL Districts

Title 23 U.S.C. §134 establishes a metropolitan planning program for each state. The 25 participating metropolitan planning organizations (MPOs) in Texas receive federal metropolitan planning funds to carry out the provisions of the metropolitan planning program. The federal funds must be matched by non-federal share funds.

Title 23 U.S.C. §505 reserves a portion of federal apportionments for activities related to statewide planning and research activities. The federal funds must be matched by non-federal share funds.

Title 23 U.S.C. §120(j), as amended by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59 (2005), permits a state to use certain toll revenue expenditures, called transportation development credits, as a credit toward the non-federal share of certain programs authorized by Title 23 U.S.C. and Chapter 53 of Title 49 U.S.C.

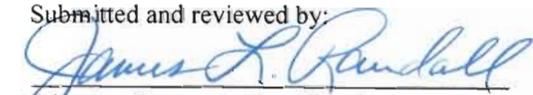
In the past, the Texas Department of Transportation (department) provided the non-federal share match for the metropolitan planning program allowing MPOs to receive federal funds without having to provide a local match. In addition, the department also provided the non-federal share match for the Statewide Planning and Research (SPR) Work Program. Due to current financial constraints, the department desires to substitute the non-federal match with transportation development credits. It is estimated that \$5.6 million in transportation development credits is required to provide for the non-federal match of unexpended metropolitan planning program reimbursements and \$9.5 million in transportation development credits is required for the SPR Work Program through Fiscal Year 2011.

Title 43, Texas Administrative Code, §5.73 establishes a process by which transportation development credits may be awarded at the discretion of the Texas Transportation Commission (commission). In accordance with §5.73(b), the commission will consider the expressed opinion, if any, of MPOs regarding projects within their boundaries.

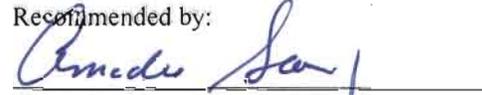
The commission finds that distribution of transportation development credits to provide for the non-federal share match of metropolitan planning and SPR funds serves to meet the department's needs after considering the potential of this award to expand the availability of funding for transportation projects, reduce congestion, expand economic opportunity, enhance safety, improve air quality, and increase the value of transportation assets.

IT IS THEREFORE ORDERED by the commission that the executive director or the director's designee is authorized to utilize transportation development credits in support of the metropolitan planning program and the SPR Work Program in an amount not to exceed \$15.1 million.

Submitted and reviewed by:


Director, Transportation Planning
and Programming Division

Recommended by:


Executive Director

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Minute Number Date Passed