

TEXAS TRANSPORTATION COMMISSION

ALL Counties

MINUTE ORDER

Page 1 of 1

ALL Districts

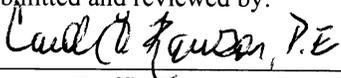
The Texas Transportation Commission (commission) finds it necessary to adopt amendments to §25.501, Definitions, relating to Safe Routes to School Program, to be codified under Title 43, Texas Administrative Code, Part 1.

The preamble and the adopted amendments, attached to this minute order as Exhibits A and B, are incorporated by reference as though set forth verbatim in this minute order, except that they are subject to technical corrections and revisions, approved by the General Counsel, necessary for compliance with state or federal law or for acceptance by the Secretary of State for filing and publication in the *Texas Register*.

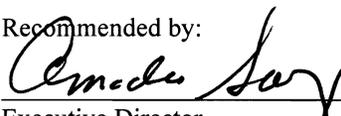
IT IS THEREFORE ORDERED by the commission that the amendments to §25.501 are adopted and are authorized for filing with the Office of the Secretary of State.

The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Submitted and reviewed by:

  
\_\_\_\_\_  
Director, Traffic Operations Division

Recommended by:

  
\_\_\_\_\_  
Executive Director

**112781 AUG 25 11**

\_\_\_\_\_  
Minute Number      Date Passed

1 Adoption Preamble

2 The Texas Department of Transportation (department) adopts  
3 amendments to §25.501 concerning the definitions in the Safe  
4 Routes to School Program. The amendments to §25.501 are adopted  
5 without changes to the proposed text as published in the  
6 June 10, 2011 issue of the *Texas Register* (36 TexReg 3588) and  
7 will not be republished.

8

9 EXPLANATION OF ADOPTED AMENDMENTS

10 The department administers the federal Safe Routes to School  
11 Program to enhance safety in and around school areas through a  
12 comprehensive program designed to improve the bicycle and  
13 pedestrian safety of school age children.

14

15 The current definition of "political subdivision" as contained  
16 in §25.501 is limited to municipalities and counties. The  
17 department is aware that there are other types of political  
18 subdivisions in the state, such as municipal utility districts,  
19 that may wish to apply for and be awarded funding for Safe  
20 Routes to School projects within their jurisdictions.

21

22 The amendments to §25.501 delete the current definition for  
23 "political subdivision." The department will rely on common  
24 usage of the term and existing state law to determine those  
25 entities that qualify as political subdivisions and, as such,

1 eligible to apply for and receive Safe Routes to School program  
2 funding.

3

4 COMMENTS

5 No comments on the proposed amendments were received.

6

7 STATUTORY AUTHORITY

8 The amendments are adopted under Transportation Code, §201.101,  
9 which provides the Texas Transportation Commission (commission)  
10 with the authority to establish rules for the conduct of the  
11 work of the department, and more specifically, Transportation  
12 Code, §201.614, which authorizes the commission to adopt rules  
13 to implement a Safe Routes to School program.

14

15 CROSS REFERENCE TO STATUTE

16 Transportation Code, §201.614.

1                   SUBCHAPTER I.   SAFE ROUTES TO SCHOOL PROGRAM

2   §25.501.   Definitions.   The following words and terms, when used  
3   in this subchapter, shall have the following meanings, unless  
4   the context clearly indicates otherwise.

5           (1) Commission--The Texas Transportation Commission.

6           (2) Department--The Texas Department of Transportation.

7           (3) District--One of 25 geographical areas, managed by a  
8   district engineer, in which the department conducts its primary  
9   work activities.

10          (4) Division--An organizational unit in the department's  
11   Austin headquarters.

12          (5) Eligible school--A public or private school that  
13   contains any of the grades from kindergarten to eighth grade.

14          (6) Executive director--The executive director of the  
15   Texas Department of Transportation or his or her designee.

16          (7) On-system road--A road or highway that is a portion  
17   of the designated state highway system.

18          (8) Off-system road--A road or highway open to the public  
19   that is not part of the designated state highway system, such as  
20   a county road or city street.

21          (9) Public property--Property owned by a state, city,  
22   county, other public entity, or school district.

23          ~~(10) Political subdivision--A municipality or county~~

1 ~~within the State of Texas.]~~

2       (10) [~~(11)~~] Program--The Safe Routes to School Program.

3       (11) [~~(12)~~] State highway system--The system of highways

4 in the state included in a comprehensive plan prepared by the

5 executive director with the approval of the commission, in

6 accordance with Transportation Code, §201.103.