

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 §1.82, Statutory Advisory Committee Operations and Procedures, §1.84, Statutory Advisory Committees, §1.85, Department Advisory Committees, §1.86, Corridor Advisory Committees, and §1.87, Corridor Segment Advisory Committees, all relating to advisory committees 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 §1.82 and §§1.84-1.87 are adopted and are authorized for filing with the Office of the Secretary of State.

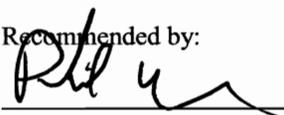
The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Submitted and reviewed by:



General Counsel

Recommended by:



Executive Director

112900 NOV 17 11

Minute
Number

Date
Passed

Adoption Preamble

The Texas Department of Transportation (department) adopts amendments to §1.82, Statutory Advisory Committee Operations and Procedures, §1.84, Statutory Advisory Committees, §1.85, Department Advisory Committees, §1.86, Corridor Advisory Committees, and §1.87, Corridor Segment Advisory Committees. The amendments to §1.82 and §§1.84 - 1.87 are adopted without changes to the proposed text as published in the September 9, 2011 issue of the *Texas Register* (36 TexReg 5816) and will not be republished.

EXPLANATION OF ADOPTED AMENDMENTS

The amendments are the result of the Texas Transportation Commission's (commission) review of the need to continue the existence of the commission's advisory committees and changes made by House Bill 699, 82nd Legislature, Regular Session, 2011, concerning the funding of port security, facility projects, and port studies, and House Bill 1201, 82nd Legislature, Regular Session, 2011, repealing the authority for the establishment and operation of the Trans-Texas Corridor.

Amendments to §1.82, Statutory Advisory Committee Operations and Procedures, subsection (i), revise the sunset dates of commission advisory committees that are created by statute. Section 1.82 currently provides that each statutory advisory committee is abolished December 31, 2011. This sunset date was

1 established under Government Code, §2110.008, which authorizes a
2 state agency to establish by rule a date on which advisory
3 committees will automatically be abolished unless continued.
4 The commission determines that the continued existence of its
5 statutory advisory committees is necessary for improved
6 communication between the department and the public. Therefore,
7 §1.82(i) is amended to revise the sunset date to December 31,
8 2013.

9
10 Section 1.84, Statutory Advisory Committees, provides
11 information concerning the advisory committees of the commission
12 that were created by statute. Subsection (c) of that section
13 relates to the Port Authority Advisory Committee. H.B. 699 made
14 various changes to Transportation Code, Chapter 55, including
15 changes related to the Port Authority Advisory Committee. The
16 amendments to subsection (c) of §1.84 are made to adjust the
17 subsection to changes of law made by that act.

18
19 Amendments throughout §1.84(c), clarify that the Port Authority
20 Advisory Committee advises the commission on issues relating to
21 ocean ports. Legislative changes made to Transportation Code,
22 Chapter 55, by H.B. 699 emphasize that the committee's authority
23 is limited to maritime ports and does not extend to other types
24 of ports, such as ports of entry, inland ports, air cargo
25 facilities, and intermodal terminals that may be located

1 hundreds of miles from the nearest ocean.

2

3 Amendments to §1.84(c)(3) also remove the requirement that the
4 committee maintain trade data information that will assist ports
5 and add a requirement that the committee prepare and submit a
6 report on Texas maritime ports. These modifications reflect the
7 statutory changes made by H.B. 699. New §1.84(c)(3)(D)(i)
8 expressly refers to Transportation Code, §55.007, which was
9 amended by H.B. 699, rather than listing the requirements stated
10 in that section. Finally, amendments to §1.84(c)(3), provide
11 that the committee is required to prepare a port capital
12 program, in accordance with Transportation Code, §55.008, and
13 submit the program and its updates every two years as required
14 by that section. While this has been a statutory requirement
15 for many years, it has not been mentioned in the commission's
16 rules. This provision is added to provide additional
17 information in the rules about the committee's duties.

18

19 Section 1.85, Department Advisory Committees, provides for the
20 creation of advisory committees by the commission and provides
21 the operating procedures for those committees.

22

23 Amendments to §1.85 delete subsection (a)(3), which relates to
24 Intelligent Transportation Systems (ITS) Steering Committee,
25 because those types of committees are not currently used by the

1 department. When a district needs local input regarding an ITS
2 project, it typically works with the appropriate Metropolitan
3 Planning Organization. Furthermore, if the department needs to
4 form an advisory committee related to the development and
5 implementation of an ITS project, it has the authority to create
6 such a committee as a Project Advisory Committee under
7 §1.85(a)(1). Current paragraph (4) is redesignated as paragraph
8 (3).

9
10 Amendments to §1.85 also delete subsection (a)(5), which relates
11 to the creation of Trans-Texas Corridor advisory committees, and
12 redesignates current paragraph (6) as paragraph (4). H.B. 1201
13 repeals the authority for the establishment and operation of the
14 Trans-Texas Corridor. Therefore, Trans-Texas Corridor advisory
15 committees are no longer needed.

16
17 Amendments to §1.85 change the date that advisory committees
18 created under that section are abolished. Subsection (c) of
19 §1.85 currently provides a December 31, 2011 sunset date, which
20 was established in accordance with Government Code, §2110.008.
21 Except for the committees whose authority is being repealed by
22 these amendments, the commission determines that each existing
23 advisory committee created under §1.85 is necessary for improved
24 communication between the department and the public. Therefore,
25 amendments to subsection (c) extend the sunset date to December

1 31, 2013.

2

3 Amendments to §1.86, Corridor Advisory Committees, similarly
4 change the date that advisory committees created under that
5 section are abolished. Subsection (e) of §1.86 currently
6 provides that each advisory committee created under that section
7 is abolished December 31, 2011. This sunset date was
8 established in accordance with Government Code, §2110.008. The
9 commission determines that each existing corridor advisory
10 committee is necessary for improved communication between the
11 department and the public. Therefore, amendments to §1.86(e)
12 change the sunset date to December 31, 2013.

13

14 Amendments to §1.87, Corridor Segment Advisory Committees,
15 change the date that corridor segment advisory committees are
16 abolished. Subsection (e) of §1.87 currently provides that each
17 corridor segment advisory committee is abolished December 31,
18 2011. This sunset date was established in accordance with
19 Government Code, §2110.008. The commission determines that each
20 existing corridor segment advisory committee is necessary for
21 improved communication between the department and the public.
22 Therefore, amendments to §1.87(e) extend the sunset date to
23 December 31, 2013.

24

25 COMMENTS

1 No comments on the proposed amendments were received.

2

3 STATUTORY AUTHORITY

4 The amendments are adopted under Transportation Code, §201.101,
5 which provides the commission with the authority to establish
6 rules for the conduct of the work of the department, and more
7 specifically, Transportation Code, §201.117, which provides the
8 commission with the authority to establish, as it considers
9 necessary, advisory committees on any of the matters under its
10 jurisdiction, and Government Code, §2110.008, which provides
11 that, if a state agency committee designates the date on which
12 an advisory committee will automatically be abolished or changes
13 such a date, the designation or change must be by rule.

14

15 CROSS REFERENCE TO STATUTE

16 Government Code, Chapter 2110, and Transportation Code, Chapter
17 55.

1 SUBCHAPTER F. ADVISORY COMMITTEES

2 §1.82. Statutory Advisory Committee Operations and Procedures.

3 (a) Applicability. This section applies to statutory
4 advisory committees and governs the operation of statutory
5 advisory committees unless it is superceded by a specific
6 provision in §1.84 of this subchapter (relating to Statutory
7 Advisory Committees).

8 (b) Election of officers and terms of members.

9 (1) Unless otherwise specified with regard to a
10 particular committee, each committee shall elect a chair and
11 vice-chair by majority vote of the members of the committee.
12 The chair and vice-chair shall each be elected for a term of not
13 less than one year and not more than two years. Once elected,
14 the chair and vice-chair may stand for reelection, without limit
15 on the number of consecutive terms.

16 (2) Members shall serve on an advisory committee until
17 new members are appointed.

18 (c) Meetings.

19 (1) Meeting requirements. The office designated for an
20 advisory committee under subsection (f) of this section shall
21 submit to the Office of the Secretary of State notice of a
22 meeting of the advisory committee at least 10 days before the
23 date of the meeting. The notice must provide the date, time,

1 place, and subject of the meeting. A meeting of an advisory
2 committee must be open to the public. An advisory committee
3 will follow the agenda set for each meeting under paragraph (2)
4 of this subsection. Filing of notice of meetings with the
5 Office of the Secretary of State shall be coordinated through
6 the department's Office of General Counsel.

7 (2) Scheduling of meetings. Meeting dates, times,
8 places, and agendas will be set by the office designated under
9 subsection (f) of this section. Any committee member may
10 suggest the need for a meeting or an agenda item, provided that
11 the committee may only discuss items that are within the
12 committee's and the department's jurisdiction. The office
13 designated under subsection (f) of this section will provide
14 notice of the time, date, place, and purpose of meetings to the
15 members, by mail, email, telephone or any combination of the
16 three, at least 10 calendar days in advance of each meeting.
17 All meetings must take place in Texas and must be held in a
18 location that is readily accessible to the general public.

19 (3) Quorum. A majority of the membership of an advisory
20 committee, including the chairman, constitutes a quorum. The
21 committee may act only by majority vote of the members present
22 at the meeting.

23 (4) Removal. A committee member may be removed at any

1 time without cause by the person or entity that appointed the
2 member or by that person's or entity's successor.

3 (5) Parliamentary procedure. Parliamentary procedures
4 for all committee meetings shall be in accordance with the
5 latest edition of Robert's Rules of Order, except that the chair
6 may vote on any action as any other member of the committee, and
7 except to the extent that Robert's Rules of Order are
8 inconsistent with any statute or this subchapter.

9 (6) Record. Minutes of all committee meetings shall be
10 prepared and filed with the commission. The complete
11 proceedings of all committee meetings must also be recorded by
12 electronic means.

13 (7) Public information. All minutes, transcripts, and
14 other records of the advisory committees are records of the
15 commission and as such may be subject to disclosure under the
16 provisions of Government Code, Chapter 552.

17 (d) Reimbursement. The department may, if authorized by
18 law and the executive director, reimburse a member of a
19 committee for reasonable and necessary travel expenses. Current
20 rules and laws governing reimbursement of expenses for state
21 employees shall govern reimbursement of expenses for advisory
22 committee members.

23 (e) Conflict of interest. Advisory committee members are

1 subject to the same laws and policies governing ethical
2 standards of conduct as those for commission members and
3 employees of the department.

4 (f) Administrative support. For each advisory committee,
5 the executive director will designate an office of the
6 department that will be responsible for providing any necessary
7 administrative support essential to the functions of the
8 committee.

9 (g) Advisory committee recommendations. In developing
10 department policies, the commission will consider the
11 recommendations submitted by advisory committees.

12 (h) Manner of reporting.

13 (1) The office designated under subsection (f) of this
14 section shall, in writing, report to the commission an official
15 action of a statutory advisory committee, including any advice
16 and recommendations, prior to commission action on the issue.
17 The chair of the advisory committee or the chair's designee will
18 also be invited by the department to appear before the
19 commission prior to commission action on a posted agenda item to
20 present the committee's advice and recommendations.

21 (2) In the event a written report cannot be furnished to
22 the commission prior to commission action, the report may be
23 given orally, provided that a written report is furnished within

1 10 days of commission action.

2 (i) Duration. Except as otherwise specified in this
3 subchapter, each statutory advisory committee is abolished
4 December 31, 2013 [~~2011~~], unless the commission amends its rules
5 to provide for a different date.

6

7 §1.84. Statutory Advisory Committees.

8 (a) Aviation Advisory Committee.

9 (1) Purpose. Created pursuant to Transportation Code,
10 §21.003, the Aviation Advisory Committee provides a direct link
11 for general aviation users' input into the Texas Airport System.
12 The committee provides a forum for exchange of information
13 concerning the users' view of the needs and requirements for the
14 economic development of the aviation system. The members of the
15 committee are an avenue for interested parties to utilize to
16 voice their concerns and have that data conveyed for action for
17 system improvement. Additionally, committee members are
18 representatives of the department and its Aviation Division,
19 able to furnish data on resources available to the Texas
20 aviation users.

21 (2) Membership. The commission will appoint the members
22 of the Aviation Advisory Committee to staggered terms of three
23 years with two members' terms expiring August 31 of each year.

1 A committee member must have five years of successful experience
2 as an aircraft pilot, an aircraft facilities manager, or a
3 fixed-base operator.

4 (3) Duties. The committee shall:

5 (A) periodically review the adopted capital improvement
6 program;

7 (B) advise the commission on the preparation and
8 adoption of an aviation facilities development program;

9 (C) advise the commission on the establishment and
10 maintenance of a method for determining priorities among
11 locations and projects to receive state financial assistance for
12 aviation facility development;

13 (D) advise the commission on the preparation and update
14 of a multi-year aviation facilities capital improvement program;
15 and

16 (E) perform other duties as determined by order of the
17 commission.

18 (4) Meetings. The committee shall meet once a calendar
19 year and such other times as requested by the Aviation Division
20 Director.

21 (5) Rulemaking. Section 1.83 of this subchapter
22 (relating to Rulemaking) does not apply to the Aviation Advisory
23 Committee.

1 (b) Public Transportation Advisory Committee.

2 (1) Purpose. Created pursuant to Transportation Code,
3 §455.004, the Public Transportation Advisory Committee provides
4 a forum for the exchange of information between the department,
5 the commission, and committee members representing the transit
6 industry and the general public. Advice and recommendations
7 expressed by the committee provide the department and the
8 commission with a broader perspective regarding public
9 transportation matters that will be considered in formulating
10 department policies.

11 (2) Membership. Members of the Public Transportation
12 Advisory Committee shall be appointed and shall serve pursuant
13 to Transportation Code, §455.004.

14 (3) Duties. The committee shall:

15 (A) advise the commission on the needs and problems of
16 the state's public transportation providers, including
17 recommending methods for allocating state public transportation
18 funds if the allocation methodology is not specified by statute;

19 (B) comment on proposed rules or rule changes involving
20 public transportation matters during their development and prior
21 to final adoption unless an emergency requires immediate action
22 by the commission;

23 (C) advise the commission on the implementation of

1 Transportation Code, Chapter 461; and

2 (D) perform other duties as determined by order of the
3 commission.

4 (4) Meetings. The committee shall meet as requested by
5 the commission or the office designated under §1.82(f) of this
6 subchapter (relating to Statutory Advisory Committee Operations
7 and Procedures).

8 (5) Public transportation technical committees.

9 (A) The Public Transportation Advisory Committee may
10 appoint one or more technical committees to advise it on
11 specific issues, such as vehicle specifications, funding
12 allocation methodologies, training and technical assistance
13 programs, and level of service planning.

14 (B) A technical committee shall report any findings and
15 recommendations to the Public Transportation Advisory Committee.

16 (c) Port Authority Advisory Committee.

17 (1) Purpose. Created pursuant to Transportation Code,
18 §55.006, the purpose of the Port Authority Advisory Committee is
19 to provide a forum for the exchange of information between the
20 commission, the department, and committee members representing
21 the maritime port industry in Texas and others who have an
22 interest in maritime ports. The committee's advice and
23 recommendations will provide the commission and the department

1 with a broad perspective regarding maritime ports and
2 transportation-related matters to be considered in formulating
3 department policies concerning the Texas maritime port system.

4 (2) Membership.

5 (A) The commission will appoint seven members to
6 staggered three-year terms unless removed sooner at the
7 discretion of the commission.

8 (B) The commission will appoint:

9 (i) one member from the Port of Houston Authority of
10 Harris County;

11 (ii) three members from maritime ports located on the
12 upper Texas coast; and

13 (iii) three members from maritime ports located on
14 the lower Texas coast.

15 (3) Duties. The committee shall:

16 (A) prepare a maritime port mission plan;

17 (B) review each project eligible to be funded under
18 Transportation Code, Chapter 55, and make recommendations for
19 approval or disapproval to the department;

20 [~~(C) maintain trade data information that will assist~~
21 ~~ports in this state and international trade;~~]

22 [~~(D) annually prepare a list of projects that have been~~
23 ~~recommended by the committee, including;~~]

1 ~~[(i) the recommended funding level for each project;~~
2 and]

3 ~~[(ii) if staged implementation of the project is~~
4 ~~appropriate, the funding requirements for each stage; and]~~

5 (C) [(E)] advise the commission and the department on
6 matters relating to port authorities; and

7 (D) not later than December 1 of each even-numbered
8 year:

9 (i) prepare and submit a report on Texas maritime
10 ports, in accordance with Transportation Code, §55.007,
11 subsections (a)(3) and (b);

12 (ii) prepare and submit a port capital program, in
13 accordance with Transportation Code, §55.008.

14 (4) Meeting. The committee shall meet at least
15 semiannually and such other times as requested by the
16 commission, the executive director, or the executive director's
17 designee. The chair may request the department to call a
18 meeting.

19 (d) Border Trade Advisory Committee.

20 (1) Purpose. Created pursuant to Transportation Code,
21 §201.114, the Border Trade Advisory Committee provides a forum
22 for the exchange of communications among the commission, the
23 department, the governor, and committee members representing

1 border trade interests. The committee's advice and
2 recommendations will provide the governor, the commission, and
3 the department with a broad perspective regarding the effect of
4 transportation choices on border trade in general and on
5 particular communities. The members of the committee also
6 provide an avenue for interested parties to express opinions
7 with regard to border trade issues.

8 (2) Membership. The border commerce coordinator
9 designated under Government Code, §772.010, shall serve as the
10 chair of the committee. The commission will appoint the other
11 members of the committee in accordance with Transportation Code,
12 §201.114. The commission will appoint members to staggered
13 three-year terms expiring on August 31 of each year, except that
14 the commission may establish terms of less than three years for
15 some members in order to stagger terms.

16 (3) Duties. The committee shall:

17 (A) define and develop a strategy for identifying and
18 addressing the highest priority border trade transportation
19 challenges;

20 (B) make recommendations to the commission regarding
21 ways in which to address the highest priority border trade
22 transportation challenges;

23 (C) advise the commission on methods for determining

1 priorities among competing projects affecting border trade; and

2 (D) perform other duties as determined by the
3 commission, the executive director, or the executive director's
4 designee.

5 (4) Meetings. The committee shall meet at least once a
6 calendar year. The dates and times of meetings shall be set by
7 the committee. The committee shall also meet at the request of
8 the department.

9 (5) Rulemaking. Sections 1.82(i) and 1.83 of this
10 subchapter do not apply to the Border Trade Advisory Committee.

11

12 §1.85. Department Advisory Committees.

13 (a) Creation.

14 (1) Project advisory committees.

15 (A) Purpose. The executive director may authorize a
16 district engineer to create, by written order, an ad hoc project
17 advisory committee composed of the following members as may be
18 deemed appropriate by the district engineer: department staff;
19 affected property owners and business establishments; technical
20 experts; professional consultants representing the department;
21 and representatives of local governmental entities, the general
22 public, chambers of commerce, and the environmental community. A
23 project advisory committee shall serve the purpose of

1 facilitating, evaluating, and achieving support and consensus
2 from the affected community and governmental entities in the
3 initial stages of a transportation project. Advice and
4 recommendations of a committee provide the department with an
5 enhanced understanding of public, business, and private concerns
6 about a project from the development phase through the
7 implementation phase, thus facilitating the department's
8 communications and traffic management objectives, resulting in a
9 greater cooperation between the department and all affected
10 parties during project development and construction.

11 (B) Duties. A project advisory committee shall:

12 (i) maintain community and local government
13 communication; and

14 (ii) respond in a timely fashion to affected parties'
15 concerns about project development and construction.

16 (C) Manner of reporting. A project advisory committee
17 shall report its advice and recommendations to the district
18 engineer.

19 (D) Duration. A project advisory committee may be
20 abolished at any stage of project development, but in no event
21 may a committee continue beyond completion of the project.

22 (2) Rulemaking advisory committees.

23 (A) Purpose. The commission, by order, may create ad

1 hoc rulemaking advisory committees pursuant to Government Code,
2 Chapter 2001, §2001.031, for the purpose of receiving advice
3 from experts, interested persons, or the general public with
4 respect to contemplated rulemaking.

5 (B) Duties. A rulemaking advisory committee shall
6 provide advice and recommendations with respect to a specific
7 contemplated rulemaking.

8 (C) Manner of reporting. A rulemaking advisory
9 committee shall report its advice and recommendations to the
10 division responsible for the development of the rules.

11 (D) Duration. A rulemaking committee shall be
12 abolished upon final adoption of rules by the commission.

13 [~~(3) Intelligent Transportation Systems (ITS) Steering~~
14 ~~Committees.~~]

15 [~~(A) Purpose. Federal law encourages the expenditure~~
16 ~~of federal transportation funds to achieve improvements in the~~
17 ~~efficiency of transportation operations. A portion of these~~
18 ~~funds are specifically designated for the planning and testing~~
19 ~~of Intelligent Transportation Systems technologies. As part of~~
20 ~~the development and implementation of these projects, a district~~
21 ~~engineer, in conjunction with local officials, may create a~~
22 ~~steering committee to provide support for ITS activities. Advice~~
23 ~~and recommendations expressed by a committee will foster the~~

1 ~~coordination of state and local benefit in the design,~~
2 ~~maintenance, and operation of ITS facilities.]~~

3 [~~(B) Duties. A committee shall provide advice and~~
4 ~~recommendations with respect to:~~]

5 [~~(i) ITS project priorities;~~]

6 [~~(ii) the approval of projects;~~]

7 [~~(iii) seeking project funding;~~]

8 [~~(iv) coordinating public and private ventures; and]~~

9 [~~(v) promoting ITS at local, state, and national~~
10 ~~levels.]~~

11 [~~(C) Manner of reporting. A committee shall report its~~
12 ~~advice and recommendations to the local district engineer, or~~
13 ~~the district engineer's designee.]~~

14 (3) [~~(4)~~] Bicycle Advisory Committee.

15 (A) Purpose. The purpose of the Bicycle Advisory
16 Committee is to advise the commission on bicycle issues and
17 matters related to the Safe Routes to School Program. By
18 involving representatives of the public, including bicyclists
19 and other interested parties, the department helps ensure
20 effective communication with the bicycle community, and that the
21 bicyclist's perspective will be considered in the development of
22 departmental policies affecting bicycle use, including the
23 design, construction and maintenance of highways. The committee

1 will also provide recommendations to the department on the Safe
2 Routes to School Program.

3 (B) Duties. The committee shall:

4 (i) in accordance with Transportation Code,
5 §201.9025, advise and make recommendations to the commission on
6 the development of bicycle tourism trails;

7 (ii) provide recommendations on the selection of
8 projects under Chapter 25, Subchapter I of this title (relating
9 to Safe Routes to School Program); and

10 (iii) review and make recommendations on items of
11 mutual concern between the department and the bicycling
12 community.

13 (C) Manner of reporting. The committee shall report its
14 advice and recommendations to the commission, except for matters
15 relating to the Safe Routes to School Program. Under the Safe
16 Routes to School Program the committee shall reports its
17 recommendations to the director of the division responsible for
18 administering the program.

19 [~~(5) Trans-Texas Corridor advisory committees.~~]

20 [~~(A) Purpose. The commission by order may create an~~
21 ~~advisory committee concerning the Trans-Texas Corridor or a~~
22 ~~project that is part of the Trans Texas Corridor, for the~~
23 ~~purpose of facilitating and achieving support and consensus from~~

1 ~~affected communities, governmental entities, and other~~
2 ~~interested parties in the planning of the Trans Texas Corridor~~
3 ~~and in the establishment of development plans for a project that~~
4 ~~is part of the Trans Texas Corridor. A committee may be~~
5 ~~composed of the following members as deemed appropriate by the~~
6 ~~commission: department staff; affected property owners and~~
7 ~~business establishments; technical experts; professional~~
8 ~~consultants representing the department; representatives of~~
9 ~~local governmental entities; the general public; chambers of~~
10 ~~commerce; and the environmental community. Advice and~~
11 ~~recommendations of a committee will provide the department with~~
12 ~~an enhanced understanding of public, business, and private~~
13 ~~concerns about the Trans Texas Corridor and projects that are~~
14 ~~part of the Trans Texas Corridor, thus facilitating the~~
15 ~~department's communications and project development objectives,~~
16 ~~resulting in greater cooperation between the department and all~~
17 ~~affected parties during project planning and development.]~~

18 [~~(B) Duties. A Trans Texas Corridor advisory committee~~
19 ~~shall provide advice and recommendations to the department~~
20 ~~regarding facilities to be included in a development plan for~~
21 ~~the Trans Texas Corridor or a project that is part of the Trans-~~
22 ~~Texas Corridor.]~~

23 [~~(C) Manner of reporting. A Trans Texas Corridor~~

1 ~~advisory committee shall report its advice and recommendations~~
2 ~~to the executive director or designee.]~~

3 ~~[(D) Duration. A Trans-Texas Corridor advisory~~
4 ~~committee may be abolished at any time by the commission, but in~~
5 ~~no event may a committee continue beyond completion of the~~
6 ~~Trans-Texas Corridor or the project for which the committee is~~
7 ~~created.]~~

8 (4) ~~[(6)]~~ TxDOT Strategic Research Program Advisory
9 Committee.

10 (A) Purpose. The TxDOT Strategic Research Program
11 Advisory Committee is created. The purpose of the committee is
12 to make recommendations to the department concerning the
13 selection of research topics and the direction and facilitation
14 of strategic research to prepare the department for the
15 transportation challenges it is likely to face over the next 30
16 years. The commission, by order, will appoint the members of
17 the committee. The committee may be composed of members who
18 are: private sector executives whose companies are major users
19 of the state's multimodal transportation system; private sector
20 finance or international business experts; technical experts
21 with a broad base of transportation knowledge in one or more
22 applicable fields, such as mobility, safety, economics, and
23 demographics; and individuals in the public or private sector

1 who have national standing and credibility in the transportation
2 field.

3 (B) Duties. The committee shall advise and make
4 recommendations to the department regarding:

5 (i) the selection of strategic research topics
6 relating to challenges the department is likely to face over the
7 next 30 years; and

8 (ii) the selection of appropriate research entities,
9 including, but not limited to, universities, research
10 institutions, or consultants to carry out the research.

11 (C) Liaison. The committee may appoint a member of the
12 committee as a liaison for a specified research project. The
13 liaison will meet with researchers responsible for the project
14 on a regular basis and report progress on the project to the
15 committee.

16 (D) Manner of reporting. The committee shall report
17 its advice and recommendations to the executive director or a
18 department employee designated by the executive director and
19 shall make reports to the commission, as requested.

20 (b) Operating procedures.

21 (1) Membership. Except as otherwise specified in this
22 section, an advisory committee shall be composed of not more
23 than 24 members to be appointed by the office or official to

1 whom the committee is to report. When applicable to the purpose
2 and duties of the committee, the membership shall provide a
3 balanced representation between:

4 (A) industries or occupations regulated or directly
5 affected by the department; and

6 (B) consumers of services provided either by the
7 department or by industries or occupations regulated by the
8 department.

9 (2) Meetings.

10 (A) An advisory committee shall meet once a calendar
11 year and at such other times as requested by the office to which
12 it reports.

13 (B) A majority of the membership of an advisory
14 committee constitutes a quorum. A committee may take formal
15 action only by majority vote of its membership.

16 (3) Officers. Each committee shall elect a chair and
17 vice-chair by majority vote of the members of the committee.

18 (c) Duration. Except as otherwise specified in this
19 section, a committee created under this section is abolished
20 December 31, 2013 [~~2011~~], unless the commission amends its rules
21 to provide for a different date.

22 (d) Reimbursement. The department may, if authorized by
23 law and the executive director, reimburse a member of a

1 committee for reasonable and necessary travel expenses. Current
2 rules and laws governing reimbursement of expenses for state
3 employees shall govern reimbursement of expenses for advisory
4 committee members.

5

6 §1.86. Corridor Advisory Committees.

7 (a) Purpose. The commission by order will create advisory
8 committees to assist the department in the transportation
9 planning process for the Interstate Highway 35 corridor and in
10 the corridor planned as part of Interstate Highway 69 and may
11 create an advisory committee for any other corridor. The
12 purpose of an advisory committee is to facilitate and achieve
13 support and consensus from affected communities, governmental
14 entities, and other interested parties in the planning of
15 transportation improvements in the corridor for which it is
16 created and in the establishment of development plans for that
17 corridor. An advisory committee's advice and recommendations
18 will provide the department with an enhanced understanding of
19 public, business, and private concerns about the corridor for
20 which it is created, facilitating the department's
21 communications and project development objectives and resulting
22 in greater cooperation between the department and all affected
23 parties during project planning and development.

1 (b) Membership. An advisory committee may be composed of
2 members of the following groups as deemed appropriate by the
3 commission: affected property owners and owners of business
4 establishments; technical experts; representatives of local
5 governmental entities; members of the general public; economic
6 development officials; chambers of commerce officials; members
7 of the environmental community; department staff; and
8 professional consultants representing the department.

9 (c) Duties. An advisory committee shall report to the
10 executive director its advice and recommendations on
11 transportation improvements to be made in the corridor for which
12 it is created, including facilities to be included in a
13 development plan for that corridor and upgrades and other
14 improvements to be made to existing facilities located in that
15 corridor, and on other corridor level planning and development
16 matters as requested by the department. The corridor advisory
17 committee may also provide information to, coordinate with, or
18 request information relating to the planning and development of
19 a segment of the corridor from a corridor segment advisory
20 committee established under §1.87 of this subchapter (relating
21 to Corridor Segment Advisory Committees). In developing advice
22 and recommendations, an advisory committee will evaluate
23 economic, political, societal, and demographic population trends

1 affecting transportation, and will consider existing facilities,
2 upgrades to existing facilities, new or planned facilities,
3 multimodal solutions, and available financing options.

4 (d) Additional requirements. An advisory committee is
5 subject to the requirements for operating procedures and
6 reimbursement of expenses applicable to a department advisory
7 committee under §1.85 of this subchapter (relating to Department
8 Advisory Committees).

9 (e) Duration. An advisory committee created under this
10 section is abolished December 31, 2013 [~~2011~~], unless the
11 commission amends its rules to provide for a different date.

12

13 §1.87. Corridor Segment Advisory Committees.

14 (a) Purpose. The commission by order will create a
15 corridor segment advisory committee to assist the department in
16 the transportation planning process for the Interstate Highway
17 35 corridor and in the corridor planned as part of Interstate
18 Highway 69 and may create an advisory committee for any other
19 corridor. The purpose of an advisory committee is to facilitate
20 and achieve support and consensus from affected communities,
21 governmental entities, and other interested parties in the
22 planning of transportation improvements in the segment of a
23 corridor for which it is created and in the establishment of

1 development plans for that segment. An advisory committee's
2 advice and recommendations will provide the department with an
3 enhanced understanding of public, business, and private concerns
4 about the segment for which it is created, facilitating the
5 department's communications and project development objectives
6 and resulting in greater cooperation between the department and
7 all affected parties during project planning and development.

8 (b) Membership. A corridor segment advisory committee
9 consists of the following members:

10 (1) one member appointed by the county judge of each
11 county in which the proposed segment may be located,
12 representing the general public within the county;

13 (2) one member appointed by each metropolitan planning
14 organization within whose boundaries all or part of the proposed
15 segment may be located, representing the general public within
16 the metropolitan planning organization;

17 (3) additional members representing the general public
18 within cities designated by the commission, in which all or part
19 of a proposed segment may be located, each of whom will be
20 appointed by the mayor of a designated city; and

21 (4) additional members, each of whom:

22 (A) will represent, and be appointed by the governing
23 body of, a port, chamber of commerce, economic development

1 council or corporation, or other organization that has an
2 interest in transportation, within whose service area all or
3 part of a proposed segment may be located and that is designated
4 by the commission to appoint a member of the committee; or

5 (B) is an individual who resides or has a business in
6 the area in which the segment may be located, has an interest in
7 transportation, and is appointed to the committee by the
8 commission.

9 (c) Duties. An advisory committee shall report to the
10 executive director its advice and recommendations on
11 transportation improvements to be made in the segment of a
12 corridor for which it is created, including facilities to be
13 included in a development plan for that segment and upgrades and
14 other improvements to be made to existing facilities located in
15 that segment, and other segment level planning, development, and
16 financing matters as requested by the department. A corridor
17 segment advisory committee may provide information to,
18 coordinate with, or request information from a corridor advisory
19 committee created under §1.86 of this subchapter (relating to
20 Corridor Advisory Committees). In developing advice and
21 recommendations, a corridor segment advisory committee will
22 evaluate economic, political, societal, and demographic
23 population trends affecting transportation, and will consider

1 existing facilities, upgrades to existing facilities, new or
2 planned facilities, multimodal solutions, and available
3 financing options.

4 (d) Additional requirements. A corridor segment advisory
5 committee is subject to the requirements for operating
6 procedures applicable to a department advisory committee under
7 §1.85 of this subchapter (relating to Department Advisory
8 Committees).

9 (e) Duration. A corridor segment advisory committee may be
10 abolished at any time by the commission, but in no event may a
11 committee continue beyond completion of the segment for which
12 the committee is created. Except as otherwise specified in this
13 paragraph, a committee created under this section is abolished
14 December 31, 2013 [~~2011~~], unless the commission amends its rules
15 to provide for a different date.