

TEXAS TRANSPORTATION COMMISSION

HAYS, TRAVIS & WILLIAMSON Counties

MINUTE ORDER

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AUSTIN District

Transportation Code, Chapter 455 assigns a broad spectrum of powers and duties to the Texas Department of Transportation (department) regarding public and mass transportation. Transportation Code, Chapter 456 authorizes the Texas Transportation Commission (commission) to administer funds appropriated for public transportation.

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 and Chapter 53 of Title 49 U.S.C.

Title 43, Texas Administrative Code, §5.73(a) establishes a process by which transportation development credits may be awarded at the discretion of the commission. In accordance with §5.73(b), the commission will consider the expressed opinion of the metropolitan planning organization with respect to a project within its boundaries.

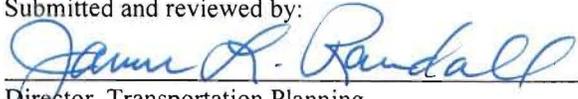
In May 2008, the Capital Area Metropolitan Planning Organization (CAMPO) authorized \$10 million of its federal Surface Transportation Program funds to study commuter rail between Austin and San Antonio. The funds will be used by the Austin-San Antonio Intermunicipal Commuter Rail District (district) for preliminary engineering, operations modeling, public involvement and environmental clearance required to implement the Austin-San Antonio regional passenger rail project.

The district has requested the use of transportation development credits as the non-federal match for the development of commuter rail service in the Austin-San Antonio corridor. The department received a letter from CAMPO supporting the award of transportation development credits for this project. The total amount of transportation development credits requested by the district is \$2 million.

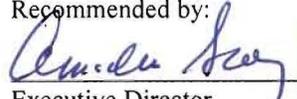
The commission finds that distribution of transportation development credits for this particular purpose serves the department's goals of reducing congestion, enhancing safety, expanding economic opportunity, improving air quality, and increasing the value of transportation assets.

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 Austin-San Antonio regional passenger rail project, in an amount not to exceed \$2 million.

Submitted and reviewed by:

  
Director, Transportation Planning  
and Programming Division

Recommended by:

  
Executive Director

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Minute Number Date Passed