

**Resolution of the Board of Directors Endorsing Certain  
Recommendations of the Sunset Commission Staff Report on TxDOT**

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The Greater Houston Partnership recognizes the crucial role that the Texas Department of Transportation (TxDOT) plays in developing our State's infrastructure. We support many, but not all, recommendations of the Sunset Commission Staff Advisory Report toward transformation of TxDOT into a modern, lean, efficient, safety-oriented, and forward-looking agency focused on the delivery and maintenance of transportation projects.

We believe that the existing five-member structure of the Texas Transportation Commission provides diverse representation of transportation interests throughout the State. The Partnership opposes the abolition of the Commission's current structure. However, we support increased oversight which would be established through the Staff Report recommendation of a Transportation Legislative Oversight Committee.

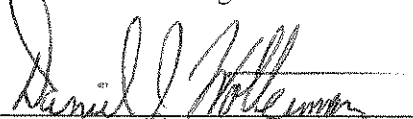
The current long-range Statewide Transportation Plan is outdated and the project programming system is too time-consuming and difficult to understand. The Partnership supports the Staff Report recommendations which streamline and enhance transparency of transportation planning and the project development process.

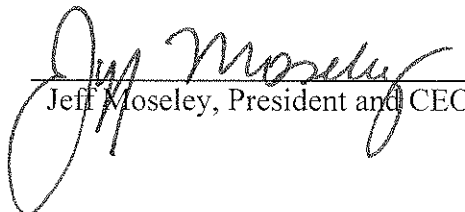
The Partnership commends TxDOT's improved efforts to address public concerns related to transportation projects. We support the Sunset Commission Staff recommendations to enhance communication and public involvement. However, it is imperative that new methods of public involvement should not unduly delay projects.

The Partnership recognizes the need for an efficient project contracting process which minimizes risk to the State. Relaxed restrictions allowing the use of design-build contracts are acceptable as long as provisions of HB 1886, Texas Legislature, 80<sup>th</sup> Session, are adhered to. We agree that the establishment of timeframes for key stages of the contracting process will improve efficiency, increase oversight of services contracts, and reduce risk.

We agree that TxDOT does not sufficiently administer resources to enforce the regulation of salvage dealers, and we support Staff Report recommendations of improved enforcement and standardization of licensing practices related to motor vehicle dealers, salvage dealers and household goods carriers.

The Partnership also supports Staff Report recommendations aimed at improving regulation of outdoor advertising.

  
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Daniel J. Wolterman, Chairman

  
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Jeff Moseley, President and CEO

  
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Daniel G. Bellow, Secretary



## MEMORANDUM

**DATE:** December 3, 2008

**TO:** Greater Houston Partnership Board of Directors

**FROM:** Jim Dannenbaum  
Chairman, Transportation and Infrastructure Advisory Committee

**SUBJECT:** Resolution of the Board of Directors Endorsing Certain Recommendations of the Sunset Staff Report on TxDOT

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### RECOMMENDATION

The Greater Houston Partnership recognizes the crucial role that the Texas Department of Transportation (TxDOT) plays in developing our State's infrastructure. We support many, but not all, recommendations of the Sunset Commission Staff Advisory Report toward transformation of TxDOT into a modern, lean, efficient, safety-oriented, and forward-looking agency focused on the delivery and maintenance of transportation projects.

We believe that the existing five-member structure of the Texas Transportation Commission provides diverse representation of transportation interests throughout the State. The Partnership opposes the abolition of the Commission's current structure. However, we support increased oversight which would be established through the Staff Report recommendation of a Transportation Legislative Oversight Committee.

The current long-range Statewide Transportation Plan is outdated and the project programming system is too time-consuming and difficult to understand. The Partnership supports the Staff Report recommendations which streamline and enhance transparency of transportation planning and the project development process.

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## **BACKGROUND**

Our region's success depends on a safe, efficient transportation system. The pace at which our community is growing combined with shortfalls in transportation funding mean that the vitality of our already strained infrastructure is in jeopardy. The Partnership continues to advocate for increased transportation funding for the State of Texas and for the Houston region.

The Sunset Staff report on TxDOT focused on six areas which addressed restoring trust, increasing transparency, enhancing communication, refining comprehensive development agreement processes, and regulating licensing for motor vehicle dealers and outdoor advertising.

The Staff report recommendations include:

### ***ISSUE 1: Until Trust in the Texas Department of Transportation Is Restored, the State Cannot Move Forward to Effectively Meet Its Growing Transportation Needs.***

Key Recommendations:

1. Abolish the Texas Transportation Commission and replace it with an appointed Commissioner of Transportation.
2. Establish a Transportation Legislative Oversight Committee to provide necessary oversight of the Department and the state's transportation system
3. Require the Transportation Legislative Oversight Committee to review and comment on TxDOT's research program, including individual research projects and activities.
4. The Sunset Commission should recommend that the Legislature directly fund the Texas Transportation Institute to conduct transportation research previously contracted through TxDOT
5. Continue TxDOT for four years

### ***ISSUE 2: The State's Complicated Transportation Planning and Project Development Process Frustrates Understanding of How Important Decisions Are Made.***

Key Recommendations:

1. Require TxDOT to redevelop and regularly update the long-range Statewide Transportation Plan describing total system needs, establishing overarching statewide transportation goals, and measuring progress toward those goals.
2. Establish a transparent, well-defined, and understandable system of project programming within TxDOT that integrates project milestones, forecasts, and priorities.
3. Require TxDOT districts to develop detailed work programs driven by milestones for major projects and other statewide goals for smaller projects.
4. Require TxDOT, with input from transportation partners and policymakers, to develop a system to measure and report on progress in meeting transportation goals and milestones.

5. Require TxDOT to establish, and provide funding and support for, transportation planning in rural areas of the state.

***ISSUE 3: TxDOT Does Not Meet the High Expectations Placed on It to Ensure Consistent, Meaningful Public Involvement.***

Key Recommendations:

1. Require TxDOT to develop and implement a public involvement policy that guides and encourages more meaningful public involvement efforts agency-wide.
2. Require TxDOT to develop standard procedures for documenting complaints and for tracking and analyzing complaint data.
3. TxDOT should provide a formal process for staff with similar responsibilities to share best practices information.
4. TxDOT should provide central coordination of the Department's major marketing campaigns.
5. TxDOT should make its website easier to use.

***ISSUE 4: Elements of TxDOT's Contracting Functions Lack Efficiency And Could Expose the State to Unacceptable Levels of Risk.***

Key Recommendations:

1. Relax restrictions on TxDOT's contracting practices by authorizing the use of design-build contracts for traditionally funded highway projects and removing requirements to advertise contract notifications and solicitations in newspapers.
2. TxDOT should improve the consistency and efficiency of its professional services contracting by setting timeframes for key stages in its contracting process.
3. Reduce contract risk and improve TxDOT's contract management by increasing staff overseeing professional services contracts; strengthening oversight and training for professional services contracts; and establishing an external process for reviewing comprehensive development agreements.

***ISSUE 5: Key Elements of TxDOT's Regulation of Motor Vehicle Dealers, Salvage Vehicle Dealers, and Household Goods Carriers Do Not Conform to Commonly Applied Licensing Practices.***

Key Recommendations:

1. TxDOT needs to provide necessary resources to enforce its statutory provisions regarding salvage vehicle dealers.
2. Standardize licensing provisions by requiring a surety bond for certain franchise dealers and establishing a process for informing the public whether household goods carriers conduct criminal history checks on their employees.

3. Update enforcement practices to enable regulation of motor vehicle advertisements and to provide new tools for taking action against motor vehicle dealers and household goods carriers.

**ISSUE 6: Key Elements of TxDOT's Regulation of Outdoor Advertising Do Not Conform to Commonly Applied Licensing Practices.**

Key Recommendations:

1. Standardize administration of outdoor advertising regulation by requiring an outdoor advertising license for rural roads and depositing all fees to the General Revenue-Dedicated Texas Highway Beautification Account.
2. Authorize the Department to deny license renewal if a licensee's permits are in poor standing.
3. Update enforcement practices by requiring the Department to develop complaints procedures, authorizing the use of standard administrative penalties, and depositing all program fines into the General Revenue-Dedicated Texas Highway Beautification Account.
4. TxDOT should centralize the program, better track total program costs and raise fees to recover costs, and scale enforcement actions to the seriousness of the offense.

**IMPLEMENTATION**

Partnership staff, lobby team and consultants will communicate recommendations to members of the Sunset Advisory Commission and members of the Texas Legislature.

**RESOURCES**

This resolution can be implemented within current budgetary restraints.