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Editorial: Transportation bill before Texas Legislature deserves a look

If everything goes as expected today, a Texas Senate committee will again discuss, and perhaps approve, allowing counties to levy new taxes and fees — if voters approve — for transportation projects. That's a big, big step, and no one should take it lightly.

The concept is as sound as can be. If local voters want to take on new taxes to pay for projects that would relieve traffic congestion and air quality, they should be allowed to do so.

The *Star-Telegram* Editorial Board has pushed this concept for more than five years. So has the board of *The Dallas Morning News*. In fact, it's hard to see how North Texas will solve its difficult transportation problems without such a measure.

Still, members of the Senate Transportation and Homeland Security Committee, led by Dallas Sen. John Carona, should be very careful about what they do today. Powerful forces oppose the bill, and the committee must shore up any weaknesses before sending it on.

The bill, authored by Carona, does not seek to impose new transportation taxes in Waco or El Paso, or in Brownsville or Beaumont or Lubbock or Amarillo or any place where voters don't want them. The local-option concept comes from people in the Dallas-Fort Worth area concerned about traffic and foul air here.

But the bill's primary detractors are people who long have said there should be no new taxes anywhere in Texas. They don't want North Texans to even have a choice. Carona's bill would fund construction and operation of expanded commuter rail transit lines in some areas and new roads and other projects in others.

The bill prescribes a process by which those projects would be selected by committees of local government leaders. It sets out a menu of taxes and fees to fund the improvements. Polling by the bill's advocates has shown that North Texans would be willing to pay an extra \$50 to perhaps \$100 a year for such projects if given the opportunity.

Committee members must remember that this concept is not sold yet. They cannot leave weaknesses in the bill to be exploited by opponents of the local-option concept.

The biggest such hole right now is the timetable set forth in the bill. That timetable tightly prescribes a process leading to local elections in November 2010.

Clearly, it would be risky to hold these elections if the current deep economic recession is not well behind us by then. The bill's detractors draw their strongest support from that fact.

The bill should have clear provisions that specifically allow local leaders to delay the elections if the time for them is not right.

The bill could be made stronger in smaller ways, also. Committee members should carefully consider incorporating details whose omission is currently cited by opponents as important drawbacks.

The Texas Public Policy Forum, a conservative research organization based in Austin, has called attention to such things as the lack of provisions to return money to taxpayers if the funding sources are more generous than expected. TPPF also wants a ban on use of the bill's funds for lobbying or to reimburse expenses for advocacy of ballot initiatives. And it wants construction funding to be a separate ballot issue from a vote on long-term money for project maintenance and operation.

There may be good arguments against all of those ideas, but they can all be used to weaken support for the bill in the legislative process — and more importantly, to undermine the future ballot proposals if the bill becomes law.

Carona and his committee must leave out nothing that would make this bill stronger. The people of North Texas need their help.