

SUBJECT: State approval for Rio Grande bridge building proposals

COMMITTEE: Transportation — committee substitute recommended

VOTE: 6 ayes — Alexander, Bosse, Alonzo, Moreno, Siebert, Uher

0 nays

3 absent — Clemons, Edwards, Price

WITNESSES: For — Mike Perez, City of McAllen

Against — None

On — Jim Bisson, Texas Department of Transportation

DIGEST: CSHB 2211 would require a political subdivision or private entity to obtain approval from the Texas Transportation Commission before requesting approval from the federal government to construct or finance a bridge over the Rio Grande.

The commission would be required to consider the available financial resources of the political subdivision or entity, whether potential bridge revenue would be sufficient to finance bridge construction and maintenance and whether bridge construction would be consistent with the state transportation plan and relevant metropolitan plans.

The commission also would be required to consider the potential impact of the bridge on the region's economy, environment, traffic mobility and on the free flow of trade between Mexico and Texas. The commission would be required to seek the advice of the Texas Department of Public Safety, the Texas Natural Resource Conservation Commission, the Texas Historical Commission, the Department of Agriculture, the Texas Alcoholic Beverage Commission and any other state agency the commission determines is appropriate.

A political subdivision would be required to submit a report detailing the feasibility, location, economic effects and environmental impact of a proposed bridge and other information the commission by rule required.

CSHB 2211 would take immediate effect if approved by two thirds of the membership of each house and would apply only to political subdivision or private entity applications for federal approval on or after the effective date.

**SUPPORTERS
SAY:**

CSHB 2211 would enact a much needed process to coordinate and maximize future efforts to construct bridges over the Rio Grande international border. Bridges across the Rio Grande have been built without adequate regional or statewide planning and oversight, resulting in bridges that are underutilized or unconnected to appropriate roadways on either side of the border. The enactment of the North American Free Trade Agreement (NAFTA) has fostered an increasing number of bridge building proposals that may prove to be unnecessary or duplicative.

CSHB 2211 would help protect overall state, regional and local interests. Currently local communities or private entities need only obtain a federal permit from the U.S. State Department to build a bridge across the U.S.-Mexico border. The U.S. State Department issues permits, with approval from other participating federal agencies, for bridge construction deemed to be in the national interest. Texas needs a similar process to determine how best to serve state and local interests.

Without adequate planning and coordination, local and state taxpayers may end up picking up the tab for false hopes. Local communities may be persuaded to build bridges based on unfounded or over-achieving expectations of utilization and state or Mexican government assistance. Bridge-building proposals can unreasonably boost property values, then leave communities and private landowners empty-handed if bridge revenues or increased trade revenues are not realized. State government may be persuaded to pour good money on top of bad to salvage a project that was poorly planned.

CSHB 2211 would put into place an evaluation process for the future. Those communities that have already submitted bridge-building permit

applications and made financial commitments would not be subject to the new state evaluation and approval process.

OPPONENTS
SAY:

CSHB 2211 would create another layer of bureaucracy that would diminish local government authority or private business negotiation power to erect bridges over the Rio Grande to enhance trans-border commerce and economic development. Local communities, not the state government, are in the best position to determine whether a bridge would be desirable and affordable. Because these bridges cross an international border, it is appropriate for the federal government to review whether such projects are in the national interest, but there is no need for the state to interfere.

Bridges can be an important springboard for local economic development by increasing trade opportunities. Communities and private entities that have the resources and the foresight to apply for federal bridge building permits should not have to be encumbered by a state approval process that could invite the negative input of competing communities. Commercial traffic over the border is increasing at a rapid pace but is literally being choked off because too few bridges are in place to handle the higher volume. Now is not the time to make it more difficult to handle this problem.

OTHER
OPPONENTS
SAY:

The bill should apply to Rio Grande bridge-building projects already submitted. Twenty-one bridges already span the border between Mexico and Texas. A U.S. Department of Transportation study released in January 1994 said that border bridges and facilities are adequate to handle anticipated increases in trade. Currently eight bridge building proposals have been submitted to the federal government, and one proposal (in Laredo) recently has been approved.

NOTES:

The committee substitute would make the act applicable only to bridge proposals submitted on or after the bill's effective date.

SB 1633 by Truan, which passed the Senate by 30-0 on April 24, is nearly identical to CSHB 2211 except that it would require the commission to consider whether the Mexican government has committed to provide adequate roadways. It would also require TxDOT to implement the approval process in a manner least burdensome to the applicant and would

deem a request approved if the commission failed to make a determination within 121 days.