

**SUBJECT:** Creating priority boarding option for Galveston-Port Bolivar ferry users

**COMMITTEE:** Transportation — committee substitute recommended

**VOTE:** 9 ayes — Krusee, Phillips, Hamric, Edwards, Garza, Harper-Brown, Hill, Laney, Mercer

0 nays

**WITNESSES:** For — None

Against — None

On — Steve Simmons, Texas Department of Transportation

**BACKGROUND:** Transportation Code, ch. 342 authorizes the Texas Department of Transportation (TxDOT) to operate and maintain ferries. Two free ferries on the Gulf Coast transport motorists and their vehicles across waterways. One serves Corpus Christi and Port Aransas; the other serves Galveston and Port Bolivar, connecting two segments of State Highway 87.

**DIGEST:** CSHB 524 would allow owners of registered motor vehicles to buy stickers giving them priority in boarding the Galveston-Port Bolivar ferry. TxDOT would have to adopt rules ensuring that vehicles displaying stickers received boarding priority only until a ferry reached 50 percent vehicle capacity.

TxDOT would have to design and issue the stickers, designate where they would have to be placed on vehicle windshields, and set an annual fee sufficient to cover implementation and administration costs. TxDOT could adopt administrative rules governing sticker issuance and would have to prescribe any necessary forms.

The bill would take effect September 1, 2003.

**SUPPORTERS SAY:** CSHB 524 would help alleviate a growing problem of traffic congestion that plagues about 2,000 residents and property owners of Port Bolivar, on the eastern shore of Galveston Bay.

Residents, business owners, and visitors on the Bolivar Peninsula depend on the five boats of the TxDOT ferry to transport them the 2.7 miles to and from Galveston Island. Even with a wait, the 18-minute trip is much faster than driving around the bay. The City of Galveston restricts vehicular activity and alcohol consumption on its public beaches, but Galveston County (like all Texas counties) lacks such authority under state law. Consequently, an unincorporated area near Port Bolivar, dubbed “the zoo,” attracts throngs of revelers on weekends from May through September. Their numbers are so great that Port Bolivarians’ access to Galveston is limited severely because of lengthy waits for the ferry. Traffic congestion is exacerbated by motorists from Houston and the Beaumont-Port Arthur-Orange area who own vacation property in the bay area.

CSHB 524 would allow TxDOT to charge motorists an annual fee for windshield stickers entitling them to board the ferry ahead of other vehicles. Priority vehicles would be limited to half the ferrys’ 70-vehicle capacity. It is doubtful that priority vehicles ever would outnumber other vehicles, because far fewer people live and work in Port Bolivar than go there for recreation on summer weekends.

The fee would be set at a rate sufficient to cover TxDOT’s implementation costs, estimated at \$2.1 million in fiscal 2004. Physical improvements required would include two new traffic lanes at the landings on each side to accommodate priority vehicles, plus additional seasonal security.

Expanding ferry operations would help the situation, but not enough to alleviate traffic problems. Nevertheless, the timing of the addition of a new ferry and two new landings would be advantageous to lane expansion. The combination of the two projects should help relieve weekend traffic congestion. Although high-occupancy vehicle (HOV) lanes are an option, the Texas Transportation Institute has determined that adding permanent lanes is the best alternative.

**OPPONENTS  
SAY:**

CSHB 524 is premature. As passed by the House, HB 1 would appropriate \$33 million in fiscal 2004-05 for a new ferry boat and two new landings, which could alleviate much of the weekend traffic problem. The Legislature should wait until 2005 to evaluate the impact of the expansion before creating a new fee and spending more money to address a seasonal inconvenience.

Issuing a boarding priority sticker might not solve the problem. Weekend partygoers from Galveston and other motorists not from Port Bolivar could buy the stickers as well, putting them in competition with local residents. Students, for example, could pool limited financial resources, buy stickers jointly, and carpool to and from Port Bolivar.

Rather than expensive infrastructure modifications, TxDOT should experiment with reversible HOV lanes, similar to those used on expressways, or some other traffic-control device on a pilot basis. A change in policy by the county or either of the municipalities could change the dynamics of the situation and reduce or remove traffic congestion unilaterally. If so, the state would have wasted money on a problem that no longer existed.

The Legislature should not ask TxDOT to go to such lengths to solve an isolated, temporary traffic problem created largely by Galveston County's apparent under-enforcement of state liquor laws. Galveston and Port Bolivar officials, not the state, should address this local problem.

**OTHER  
OPPONENTS  
SAY:**

Rather than leave the sticker program up to TxDOT's discretion, the bill should mandate the program to ensure that this problem is addressed.

The bill should allow TxDOT to make the stickers valid for the Corpus Christi-Port Aransas ferry as well. This area also can become congested during peak periods.

**NOTES:**

The bill's fiscal note estimates that it would generate slightly more than \$500,000 per year in general revenue from fiscal 2004 through 2008, based on an annual sticker fee of \$75 plus an added fee of \$276 per year to cover initial implementation costs. After the first five years, the fee would be reduced to \$75, generating slightly more than \$100,000 per year.

As filed, HB 524 would have set fees at \$50 per year per commercial motor vehicle and \$30 per year for noncommercial vehicles. It would have directed TxDOT to deposit fee collections into the State Highway Fund.

The companion bill, SB 249 by Janek, passed the Senate by voice vote on April 16 and has been referred to the House Transportation Committee.

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