

BILL ANALYSIS

Senate Research Center

H.B. 2644
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Transportation & Homeland Security
5/18/2009
Committee Report (Amended)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Bankhead Highway (Bankhead) was the first transcontinental automobile road to be built across the southern United States. Its route stretches from Washington, D.C., to San Diego, California, and spans the breadth of the State of Texas, from Texarkana to El Paso. The Bankhead was created under the Wilson Administration as part of the Federal Aid Road Act of 1916, to facilitate civilian auto travel and commerce across the South, and to serve as an overland military deployment route in the event of an attack on the Pacific Coast.

The Bankhead was the primary East-West route across North Texas for several decades, and was ultimately replaced as a through route by modern interstate highways. Today, much of the original Bankhead route is still in existence, serving as the old Main Street of dozens of Texas communities, including many that have long been bypassed by interstate routes. There are a number of historic structures and sites along the length of the route, but little has been done to commemorate the Bankhead or encourage tourism along it. Additionally, many of the communities along the route have experienced economic decline, and have limited options and resources with which to rejuvenate themselves.

Other states have successfully converted sections of the Bankhead and its contemporaries into corridors for heritage tourism. A model example is the Lincoln Highway, the Bankhead's sister road across the northern United States, whose route is signposted in several states and serves as a popular historic alternative to interstate highways among cross-country travelers. This kind of tourism is a particular boon to small towns, and to those small businesses that are concentrated in historic business districts. If travelers in Texas are aware of the Bankhead and able to follow a marked historic route, they are more likely to visit the communities en route and stimulate local economies.

H.B. 2644 adds Section 201.621 to Subchapter H (Plans and Projects), Chapter 201 (General Provisions and Administration), Transportation Code, designating the Bankhead Highway as a Texas Historic Highway and directs the Texas Historical Commission and Texas Department of Transportation to identify, designate, interpret, and market the route of the Bankhead Highway as a historic route, and promote the development of heritage tourism along its length.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 442, Government Code, by adding Section 442.026, as follows:

Sec. 442.026. BANKHEAD HIGHWAY AS TEXAS HISTORIC HIGHWAY. (a) Requires the Texas Historical Commission (THC) to cooperate with the Texas Department of Transportation (TxDOT) to identify, designate, interpret, and market the Bankhead Highway as a Texas historic highway, for the portion of the Bankhead Highway located in this state.

(b) Authorizes THC and TxDOT, to supplement revenue available for the purposes under Subsection (a), to pursue federal funds dedicated to highway enhancement.

SECTION 2. Effective date: September 1, 2009.

SUMMARY OF COMMITTEE CHANGES

Amends H.B. 2644 by adding the following at the end of added Section 442.026, Government Code (page 1, between lines 15 and 16):

(c) Prohibits a designation of the Bankhead Highway as a Texas historic highway from being construed as a designation under the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(d) Requires local governmental entities located along the Bankhead Highway to assist THC in paying for the implementation of this section and the marketing of the highway.

(e) Prohibits TxDOT, unless available and specifically appropriated for that purpose, from using money in the state highway fund for the implementation of this section or the marketing of the highway.

(f) Provides that TxDOT is not required to design, construct, or erect a marker under this section unless a grant or donation of funds is made to TxDOT to cover the cost of the design, construction, and erection of the marker. Requires that money received to cover the cost of the marker be deposited to the credit of the state highway fund.