

RTC chairman likes gas-tax focus for local-option plan

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Rodger Jones/Editorial Writer

Here's a transcript of a question-and-answer session I did with Tarrant County Judge Glen Whitley, who is chairman of the [Regional Transportation Council](#) for the North Central Texas Council of Governments.

We chatted for about 30 minutes yesterday, covering transportation funding in general, tolls, rail transit and the strategy for getting a local-option plan through next year's Legislature.

Note that he keys on a local, voter-approved gas tax as the starting point for next year's push for local-option transportation funds.

Q. North Texas is now putting together the region's transportation plan for year 2035. What does the picture look like to you - perhaps in ways that might surprise the average resident?

A. One I would say that it's more than just a highway plan. It's also a pretty integrated transportation network that would include rail as well as highway. The thing that concerns us most is the funding - or I would say lack of funding support -- that we're getting from the federal and state governments.

Q. What do the scenarios look like assuming, one, flat funding, and two, a higher rate of funding?

A. If we don't have something better, if we don't see some other funding or an increase on the federal or state level, I think what you're going to see is a lot of roads that we already have on our 2030 plan, they're going to have to be pulled off. The state has indicated that after 2012, if they don't have more revenue, they will have barely enough money to take care of maintaining what they've got, let alone even thinking about adding any new capacity.

Q. What kind of congestion could that mean for people getting back and forth to work or getting around town?

A. The population projections, and I'm going to the next 20 years -- we're estimated to double again in population in the state. If you look at that within the region, our region is now about 6.4 million. Conservatively, in the next 10 years, they are expecting us to get to about 9 million. That's about a 50 percent growth.

If we can't continue to improve our existing roads, increase capacity as well as implement some sort of transit plan, then I think we're going to begin to experience gridlock in all areas in all areas of the metroplex that you would be particularly aware of right now in what you call the LBJ-North Dallas area. And that area is going to get even worse.

The one bright spot is that in 2009, with the toll policy that we adopted with the [George Bush](#) and State Highway 121, with the NTTA, we have funds that allow us to move forward with the 635 expansion, along with the DFW Connector, which is that mesh of roads that come together north of the airport, and then within Tarrant County, what we call the North Tarrant Express, and that's the 820-121-83 area.

And so we are going to be able to expand that through a combination of managed lanes as well as increased capacity of free lanes. That will help at least up through the next 10 years to hopefully keep our congestion at no worse than it is right now.

Q. Residents in some suburban areas complain that the only new major road projects are all toll roads. How do you address that view?

A. First thing I would say is that the region took a very - and I was a part of that proposal and eventually passing a policy that said as we increase capacity, and if we don't get the funds to do it and we're having to do it through managed lanes, then we would never go in and toll an existing free lane.

So the first thing we said as a region is if it's free lanes now and we have to go in and add managed lanes, then there will never be fewer free lanes than what we started out with. As far as that increased capacity, again, with no money coming from the federal government and no money coming in from the state, then tolls were the only thing we had left.

And I'll give you an example, and I'm going to use that North Tarrant Express again. That project, from 35 West over to about [State Highway] 157, was estimated to be about a \$2.2 billion. That included complete reconstruction of all the existing lanes, complete reconstruction of the access lanes and adding access lanes where there were none at this time, and adding managed lanes along that whole route.

We went out for a bid, and what we said was, the state can put up 600 million, which would be used for some of the reconstruction. Cintra won that proposal, that bid, and what they suggested ... was to put with that \$600 million, over \$1.6 billion to do the project that I just outlined.

So what we've done is taken some state and federal money, and the private sector has come in and said, "We'll put additional money with that to rebuild the existing free lanes and actually add free lanes to it." Eventually there will be one new free lane in both directions added to the 820 section. And on top of that they are building the managed lanes.

For that they get to operate the road. They don't own, but they have to maintain and operate that section of road for a 50-year period. At the end of that 50 years they have to give it back to us at a certain level of maintenance and road condition on the thing.

Q. How important is expanded rail transit to North Texas?

A. I think it's extremely important, because we can't, with the population increases we're talking about, we can't even begin to think we can just do that just by building more concrete.

Q. You were among leaders who pushed hard, though unsuccessfully, last year for the Legislature to approve local-option tax elections for transportation improvements, including rail transit and roads. Where do you go from here?

A. I think what we were successful in doing in the last session was raise the awareness of the problems we have in the coming years -- the fact that we're not getting more money from the state and federal governments, the fact that by TxDOT's and by independent estimates that have been done by folks for TxDOT, that over the next 20 years, we need \$487 billion just to not let congestion worsen in the state.

Under the current funding methods we have available, we estimate that we can raise 155 of that 487, so we're at a \$332 billion shortfall. So over the last session of the Legislature, that awareness began to make it known to everyone. What we were asking for, in addition to supporting some statewide solutions, is to give the local counties the ability to go to their folks very similar to city bond elections or county or school bond elections, and only with voter approval -- and I think that's extremely important, because there were a lot of folks who wanted to tag this as a way for elected officials to increase taxes or fees without voter approval.

That was never one of the thoughts. We always said that we would put on the ballot the project and method of payment, and if the voters approved it, we would go forward, and when the project was paid for, whatever method of payment that was implemented would go away.

Q. Sen. John Carona got the local-option plan through the Senate, but it hit a brick wall in the House. How will you approach it this next time?

A. I think we have to approach it a little differently. Our hope is we will have broad support throughout the state. When we tried this in the last session of the Legislature, we had meetings with the other [metro] areas, but it was really at the beginning of the legislative session, and they were being brought along anew in the process.

This time our hope is to include them from the get-go. In fact, we had a meeting last week prior to the transit summit in Austin where we talked, and there's another meeting scheduled after the Senate and House transportation hearings in February. So we're trying to bring them along and have a full year to make it a statewide effort.

I think that another thing to keep in mind, and another concern that caused us possibly to fail in the House last session, was that there's a perception that we have a statewide problem and this [local option] would only solve the issues in the urban areas. And so you had a lot of folks in the rural areas concerned that they were going to somehow get left out and not have the ability to solve their problems.

Q. How do you meet the transportation needs of both rural and small-town Texas as well as the large cities?

A. I think the first thing you do is make sure everyone is at the table as you're addressing the problems and looking at possible solutions. So you make sure you have representatives from the rural areas that would help us connect the dots between the major urban areas.

There are some things that will lend themselves statewide solutions, and there are other things that can be used specifically for individual projects in individual areas.

Q. Do you see the possibility of a statewide gas-tax increase, maybe indexed to inflation, and additional local options for metro areas?

A. Yes to both of those. I've heard [House transportation] Chairman [Joe] Pickett and [Senate transportation] Chairman [John] Carona and other folks say they would support an increase in the gas tax, they would support indexing. Pickett has specifically said he would support some changes in vehicle registration amounts. There have been leanings of support in that area.

And diversions [of fuel taxes to non-transportation uses] is another thing we hear a lot about. I think we should stop diversions. I would love for them to take that on and to do that.

The practical part of me says that they are going to enter the next legislative session with probably a \$15 billion deficit and they're going to be scrambling around to fill that hole before they ever begin to think about finding more money for transportation.

Q. If lawmakers ended all diversions, would that do the trick?

A. No. I'll go back to what I said earlier. The estimate by independent groups for the next 20 years is a need of \$487 billion. Funding under the current scenario is estimated to bring in 155. We're missing 332.

If you stopped all diversions, if you did some of the increases, some of the registrations and those types of things that have been talked about and suggested, that in and of itself would only raise only raise another \$77 billion over that 20 year-period. So there's still about \$250 billion missing.

Q. Considering the economic and fiscal climate, what chance do you see for a fuel tax increase?

A. That's where I think it is going to be very difficult, but I also believe that hopefully, we can convince the folks that we will be there to support a state solution when they're ready to address that, and that if they want to begin to phase out diversions we will be there to support that, but in the meantime, I hope they will give us local options that will allow us to go to our citizens - and I stress that in any instance, whenever we go to this local option, it will be by voter approval, and it will be at general election times, not at obscure times when no one would be coming to the polls.

Q. The menu of local options last time was a very complicated mix of possible taxes and fees. Do you aim to simplify the plan next time?

A. That's certainly one of things that's being proposed. I will be honest with you: The reason there were so many tools in the toolbox, as it were, was that we had been asked by our legislators up here not to limit them on what they might allow local folks to use. And so in listening to their thoughts and suggestions, we didn't do that.

And again, a lot of those metro areas that had not be doing this, and not been researching it for as long as we had, a lot of the things we had looked at, talked to businesses about and discarded, they threw back in the toolbox and made it very difficult.

I think you will see a primary focus on maybe a local gas, or a local registration-type fee, as we go through that process. Again, and you're going to hear me say this probably 10 more times before we end this discussion: only with voter approval.

Q. Some critics maintain that the motor-fuel tax should build only roads and not pay for non-road transportation such as rail. Your view?

A. I would point you back to our most recent [Tarrant County] bond election where we had five items on the agenda, four buildings and one \$200 million transportation bond project. In that \$200 million there were projects we had listed, and \$20 million of it, or 10 percent of it, would go for transit, for the T. And that, by the way, of all of our five measures, that by far passed by the highest percentage.

Usually the folks you're hearing complain about going to highways are those folks who are building highways. What I'm finding, when I talk to citizens and different groups, because of clean air, because of other things, they are more excited about the transit issue that what they've ever been before. As I said earlier, we can't build enough concrete, roads, to take care of the population estimates we've got coming in the next 10 to 20 years.

Q. Some critics question the need for additional dollars for transportation. You're an accountant. What do you tell the skeptics?

A. I say to them, I don't know of any research group that has looked at it and come back and said there's all the money out there that you'd need. I think there are folks who are basically opposed to anything, any kind of tax increase, any kind of additional funds, that will be willing to stand up and say that, but if you ask them, "What is your source?" -- there's where they go away.

As I recall, what TxDOT said last week, in 2009 for the first time they received less revenue than what they received in the prior year. When you stop and think about the increased miles per gallon that the government is pushing, if you look at the emphasis on electronic cars, electric cars or alternate fuel-type stuff, the gas tax is something that we're eventually - and I think eventually's going to be sooner than later - going to have to move way from.

You know they're talking about going to a vehicles miles traveled [tax]. There are states, I think Oregon, for one, has a pilot project where they're doing a pilot program on vehicle miles traveled for roads. The whole problem here is that we've built a funding system that charges on a per-gallon, not on a price-per-gallon tax rate, and at the same time, the miles per gallon have been increasing on our vehicle - which is a great thing for air quality and those types of things but terrible for transportation.

Q. You are a Republican, and you have a no-new-taxes, no-toll-roads opponent in your primary campaign for re-election. What is your message to fellow Republicans when, as a conservative, you also argue that there is a greater need for revenue?

A. I guess that if you look at my record, I have proven to be a very conservative Republican in our county business. We have the second-lowest tax rate of the big urban counties, the fourth-lowest

of any county in Texas over 250,000. I've lowered the tax rate in two of the three years I've been county judge.

What I would say is that we have to watch and acknowledge the problems we see, and then we have to provide solutions that we feel like efficiently and effectively use whatever taxpayer dollars we get.

Yes, I supported toll roads, because that was the only method of funding that we had available from the state Legislature, and it's a truly user-based deal. And, the main thing, is we set a policy that we could never go back in and toll free lanes. We're never tolling existing free lanes.

<http://transportationblog.dallasnews.com/archives/2010/01/rtc-chairman-like-gas-tax-focu.html>