



# Senator Eliot Shapleigh

District 29

## El Paso Press Release

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### For Immediate Release

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## **BILLS IN TEXAS LEGISLATURE WOULD ALLOW FOR RAIL DEVELOPMENT IN EL PASO**

*"With H.B. 300, we create a rail department at TxDOT, develop reinvestment zones to fund commuter rail and tap into the relocation money that is in the budget. With rail in the pass soon to be such an important issue, this bill paves the way for significant rail improvements in El Paso."*

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**AUSTIN** - Two bills working their way through the last week of the 81st Legislative Session would allow for development of rail in the El Paso region. In their current forms, [H.B. 300](#), the Texas Department of Transportation (TxDOT) sunset bill, and [S.B. 1](#), the state's budget for the next biennium, give the state's transportation department authority over funding rail projects and set aside money for rail relocation, among other provisions.

The El Paso area is among the largest international commuter and commercial ports in the Western Hemisphere, with more than 23 million border crossings from pedestrians, commuters and commercial trucks in 2007 alone.

[Since 1881, El Paso has served as a major rail hub.](#) With gas prices on the rise and with highway costs inflating 75 percent every five years, [El Paso's mobility future must include international commuter rail and mass transit.](#) These bills would help secure that future.

"With H.B. 300, we create a rail department at TxDOT, develop reinvestment zones to fund commuter rail and tap into the relocation money that is in the budget. With rail in the pass soon to be such an important issue, this bill paves the way for significant rail improvements in El Paso," Senator Shapleigh said.

[H.B. 300](#), the TxDOT sunset bill, reauthorizes TxDOT. Every 12 years state agencies must undergo a sunset review to question the need for each agency, look for potential duplication of other public services or programs, and consider new and innovative changes to improve each agency's operations and activities. [H.B. 300](#) would preserve TxDOT and add several changes to its operation.

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One such proposed change would create a rail transportation division. The division's duties would include assuring that rail transportation is an integral part of the department's planning process, coordinating and overseeing certain rail projects, and developing and planning for improved passenger and freight rail facilities. Earlier this session Senator Shapleigh filed [S.B. 612](#), which is now in [H.B. 300](#).

This provision of [H.B. 300](#) would:

- create an application process and authorize MPOs of a certain size to apply to the department to be selected as the urban passenger rail demonstration program; If selected as a demonstration program, the counties within that MPO are granted certain local option funding option powers;
- require the rail division to select an urban passenger rail demonstration program in no more than five metropolitan planning organizations (MPOs); and
- require the counties in the region selected by TxDOT to call an election to ask voters to approve projects and approve the methods of finance.

The provision also adds a concept previously filed by Senator Shapleigh in [S.B. 897](#), which would move reporting requirements in connection with the transportation of hazardous materials by a railroad to TxDOT and local MPOs, instead of the Texas Railroad Commission.

Under a separate provision, the TxDOT sunset bill would also allow for the creation of tax increment reinvestment zones (TIRZs) across the state to fund future rail projects. TIRZs are special districts created by local governments that take taxes attributable to new improvements made within the zone and use them to fund future public improvements in the zone.

Under this provision, the bill:

- authorizes a municipality or county to set up a transportation reinvestment zone for any transportation project;
- allows a municipality or county to request that TxDOT delegate to it full responsibility for transportation projects over which TxDOT has any oversight authority;
- authorizes a municipality or county to contract with a public or private entity for road improvements and to pledge funds from the zone for that purpose;
- authorizes a county to assess all or part of the cost of a road project against property within the zone; and
- specifies that a municipality or county may not be penalized by a reduction in traditional funding because it established the zone; neither funds designated for a project before establishment of a zone nor funds to TxDOT districts containing a zone may be reduced.

The conference committee for [S.B. 1](#) has approved \$182 million for the state's rail relocation and improvement fund. The fund is currently unfunded. Under the conference committee proposal, however, that funding would be contingent on TxDOT having at least as much money for roads in the next two-year budget cycle as it has now.

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Senator Shapleigh was a cosponsor on the bill that created the fund [during 79th Legislative Session](#). The fund was created for the purpose of providing a method of financing the relocation and improvement of privately and publicly owned passenger and freight rail facilities. A state investment of only \$200 million could generate \$1 billion dollars for rail relocation projects across the state.

Soon, new ports on Mexico's west coast will add to industrial rail traffic in Central and East El Paso. By some estimates, trains moving east to west will increase from 45 trains per day to more than 130 by 2015, significantly impacting congestion, pollution and mobility.

Additionally, a presidential application is being prepared by the New Mexico Border Commission to create an international rail freight corridor from the general area of Berino, New Mexico through the Santa Teresa-Jeronimo, New Mexico area to Samalayuca, Chih. Mexico. This international freight corridor will provide service to Ferromex, Burlington Northern Santa Fe and Union Pacific Railroad companies. The estimated 50 miles of track in Juarez and the El Paso MPO Study area is expected to provide for economic growth to the region and alleviate traffic congestion on existing road facilities that intersect with rail traffic.

For El Paso, this also presents a historic opportunity to take existing rail and adapt it to new use as state-of-the-art bi-national commuter rail. In the future, existing rail in Juarez being relocated to Santa Teresa could be used to expand cross-border commuter rail in El Paso-Juarez, similar to how New Mexico [used existing freight rail to start their Rail Runner](#).

An amended version of [H.B. 300](#) passed the Texas Senate Monday. Both the Senate and House will have to concur on changes to the bill before it can be signed by the Governor and passed into law.

After changes to [S.B. 1](#), the state budget, are agreed upon by the House and Senate, it will need to be signed by the Governor before being passed into law.

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