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Editorial: With highways going to pieces, lawmakers must pass roadway bill

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It has come to this, in the scramble to keep up Texas' highway system: TxDOT officials are taking the unprecedented move of letting 83 miles of beaten-down pavement in the Oil Patch revert to gravel.

The asphalt on these rural roads has deteriorated under the onslaught of trucks and drilling equipment. With repair money spread thin, highway officials say the safest and most economical option is cutting speed limits and letting the roads go to pieces. It could be only the start.

Meanwhile, it has come to this, in the Legislature's scramble to raise more highway money: political gridlock.

Now in a third special session, lawmakers can't produce a plan that overcomes objections from the fatigued, cantankerous House. The idea on the table — a constitutional amendment to tap the state's rainy day fund for nearly \$900 million a year — is an equal opportunity offender. There is something to dislike for both the right and the left.

Tea party Republicans object that the proposal lacks a fixed limit to the money that can be extracted for roads. Pro-education Democrats don't like so much cash being siphoned away while schools are still smarting from cuts made in 2011.

Yet Gov. Rick Perry is keeping lawmakers in Austin, insisting that they finish his checklist for the 2013 Legislature. After the second special session ended in impasse Tuesday, Perry asked for "bold steps now to maintain our state's infrastructure and keep up with our growing population."

Perry wants *bold*? That's precious. The House was primed for a bold step in April, with a plan to boost vehicle registration by \$30 a year — the first across-the-board raise in decades. It would have been fresh revenue. But the plan collapsed because of Perry's veto threat, on the grounds it would violate his no-new-taxes fiat. Lacking cover from Perry, Republicans tripped all over themselves to distance themselves from the bill.

That left lawmakers scouring the fiscal landscape, and they hit on the rainy day fund, where taxes on Texas' booming energy production are deposited.

It makes sense to put that money to work. Still, the plan, with voter approval, would raise only a fraction of what TxDOT says it needs. The state's highway chief, Phil Wilson — hired by Perry's handpicked commission — set a \$4 billion annual target for lawmakers early this year. TxDOT officials are now revising that number to \$5 billion to reflect distress in the Oil Patch.

At best, the rainy day money is a down payment on that bill, and it needs to be made. But the longer lawmakers bicker over the fine print, the harder it will be to make the case to voters next year.

Call the plan imperfect and a partial measure, and call it overdue. Just don't let the governor get away with calling it bold.

Political gridlock

The 2013 Legislature's attempts at a highway bill:

Regular session — A House committee passed, but the full House declined to vote on, a plan to raise vehicle registration fees and claim a portion of growth in the vehicle sales tax. The Senate generated no highway revenue bill.

First special session — The Senate, then the House, passed a plan to take a portion of taxes on gas and oil production from the rainy day fund. The bill returned to the Senate, where it got stuck behind the abortion bill and died after Sen. Wendy Davis' filibuster.

Second special session — The House OK'd a plan to take 5 cents that now goes to schools from the state's 20-cent gas tax, then repay schools through the rainy day fund. The Senate passed a new plan to tap the rainy day fund. House-Senate negotiators agreed to submit the Senate plan to the House, where it fell

short of the votes needed.

Third special session — It started Tuesday, with Senate passage of SJR 1, another attempt to pass the rainy day fund plan. It would require voter approval in 2014. The measure is now pending in the House.

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richard schumacher 37 minutes ago

The Senate wants to rob the rainy day fund; the House agrees but wants us to think that they're robbing schools instead. This is what passes for Republican thinking in Austin these days.

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