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## State Politics

# Private toll company fighting for survival in Legislature

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Austin Bureau

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AUSTIN — Fallout continues from the public outcry over the Texas Turnpike Corp.'s attempt to build a rural toll road from Garland to Greenville, as House lawmakers on Thursday considered two bills that could effectively shut down the company.

One bill, by Rep. Cindy Burkett, R-Garland, would strip the private toll company of its ability to use eminent domain. It would also stop the state transportation commission from allowing the construction of private toll roads that connect to state highways.

The other bill, by Rep. Yvonne Davis, D-Dallas, would focus just on eliminating the toll company's eminent domain powers.

“The eminent domain process should begin and end with officials who are directly accountable to the voters, not to corporate shareholders,” Burkett said. “Let’s prevent future situations from occurring that cause a high degree of anxiety.”

Local elected officials from Garland and Rowlett told the House Transportation Committee that they support efforts to rein in Texas Turnpike Corp., which backed down on its rural toll road only after intense opposition from cities and residents in the proposed road's path.

But the toll company's chief executive, John Crew, asked lawmakers not to move ahead with what he called “draconian” rules that “would take us out of business.”

He said his company is just trying to help build projects that the state and others can't afford.

"We think we are a good tool," he said.

The committee left both bills pending.

Texas Turnpike Corp. is thought to be the only private entity in the state that can use eminent domain for transportation projects. In 1991, lawmakers repealed a law that had allowed for such private toll companies, but Texas Turnpike Corp. was grandfathered in.

In most toll projects, ownership of the land stays with a state or local entity. The North Texas Tollway Authority, for instance, is a public entity with a board of directors that's appointed by the governor and the four counties that NTTA serves.

Texas Turnpike Corp. garnered attention last year for its proposed 28-mile Northeast Gateway, pitched as a reliever route to Interstate 30 or State Highway 78.

The company worked with the North Central Texas Council of Governments, but cities and residents pushed back hard, in part because many were surprised at the corporation's inherent powers.

"This toll road project was a wake-up call," Rowlett Mayor Todd Gottel said.

Crew, the chief executive, said Texas Turnpike Corp. would only build projects where they were wanted — shown by its willingness to back down on the Northeast Gateway.

He said his company was looking at a number of projects. But Burkett essentially questioned the need for the company.

When she asked Crew how many projects Texas Turnpike Corp. had completed in its 20-plus years, he responded: "We haven't done any."

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**ALKATEX**

3 days ago

This is Rick Perry's baby. He spent the last two terms ousting management from the Tollway Authority and defunding TexDot so that he could position this company (a heavy contributor to his presidential PAC) to get this job. He did the same thing with CINTRAS to get it the job (and powers of eminent domain) for the Trans-Texas Corridor.

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**Mistah Kurtz**

2 days ago

"Texas Corruption Miracle.". FTFY, Rick.

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**PlanoTXWX**

3 days ago



Good grief!!! No more tool roads!

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**PlanoTXWX**

3 days ago

Hmm....tool=toll....

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**Bob Hall**

4 days ago

The quote you said Mr Cruz made in the Senate hearing is inaccurate. He clearly stated that the bill would not significantly impact his business. The committee then voted 8-0 to pass the bill which stops private companies from taking private property for their personal gain; a long overdue protection of personal property rights.

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**Ralph Weinberg**

4 days ago

"We think we are a good tool," he said.

You are a tool alright.

I say, "Buh bye."

Reply Share

7 1



**NyYankee**

4 days ago

If this company has been around for 20 years and has done nothing, how do they survive (pay people, expenses, etc)? Why do they exist at all? But back to the point, a private company should NOT be able to take someone's private property so that they can make a profit.

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**donsanedrin**

4 days ago

See, Texas Turnpike Corp.'s biggest mistake was not embedding itself with the Texas State Government and influencing its way to have a specific department created for it and call itself a Tollway Authority, and be able to operate like a private corporation while enjoying the immunity and protection of looking like a government agency.

When the article mentions that the NTTA is a "public entity with a board of directors" I chuckled. They have a board of rubber-stamp men.

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6 1



**Henry**

4 days ago

Hurray! Maybe a miracle will happen and this bipartisan team of Republicans and Democrats will terminate the eminent domain right of this private profiteering company. How the Legislature originally gave a group of profiteers this right to take our land has to be one of the worst unreported scandals in Texas history. Get rid of the Texas Turnpike Corp.! However, watch out for legislatures bought and paid for by these profiteers. If these bills never get out of committee, we will know the chairperson was purchased.

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**CARL**

4 days ago

How about a piece of legislation that makes the toll for a particular section of road ONE PRICE no matter what time of day it is?

It's ridiculous to have a price of \$1 when the road is not congested and then have to pay \$2.55 at 5 pm.

When I see the toll jacked up at rush hour, or when there is construction or an accident, it shows me the only objective is to maximize revenue...not reduce congestion and fuel consumption.

....and don't give me a line of crap about a private company having the right to price it's product. There was much public monetary support behind the scenes in developing these companies and their roads in the form of eminent domain and tax incentives just to name a couple.

From the toll company perspective, consider how many more might use the toll road if they could count on a reasonable steady price that didn't fluctuate on the basis of time of day or congestion levels.

This could very well increase the toll company revenue by getting more people to use them, as the concept enables users to budget for it on a month-to-month basis in their household transportation costs.

Of course this means the more affluent will have to share the road more often with those who would easier afford access while driving lesser refined machines. Unfortunately, it might generate more frustration behind electric windows, with those who drive old cars too slow and eat cheap yellow mustard.....It would be like " Dammit, where's the Grey Poupon?".....but I digress

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4 3



**Ken Duble**

4 days ago

Your idea is a bad one. Adjusting tolls to incentivize driving when roads aren't busy give motorists a reason to stay off the roads at peak periods. The price of every good in the grocery store is factored this way to manage supply and demand. Anyone who has ever offered a product or service in a free market economy understands this. Who cares if the toll is the same 24/7 when stuck in bumper-to-bumper traffic?

Reply Share 1 reply

2 1



**donsanedrin**

3 days ago

A piece of public infrastructure shouldn't operated like a for-profit company like a grocery store.

You've been making this argument time and again, but pretty much this one simple distinction is why your points really shouldn't be valid.

Because ultimately you're social traffic theories can be expanded more.

You say who cares if the toll is the same 24/7 when stuck in bumper-to-bumper traffic? Well then, society corrects itself when people who do know that traffic is full, simply choose to take other routes or simply not decide to drive during that hour.

There you go, that's the incentive, and we've ALWAYS had that incentive to do or NOT do something during peak hours. Doesn't matter if its a free road, or a toll road.

If we're getting bumper-to-bumper traffic at all times, then our problem isn't trying to play traffic theory, our problem will be trying to expand the infrastructure and decide how we are going to pay for that.

Society has EARNED the right to use their infrastructure as they see fit.

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**Frank Simmons**

4 days ago

In the last 10 years, every meaningful road constructed in Texas was a toll road and Governor "Oops" Perry was behind this toll taxation scheme. He touts low taxes Texas as he runs for the a White House but he fails to mention the quiet tax rolling down the highway. Where does all the gas tax money go?

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13 4



**Ken Duble**

4 days ago

"Where does all the gas tax money go?"

It has been eaten up by population growth, fuel efficiency, and most of all, inflation. Sales taxes keep pace with inflation while excise taxes don't. It's Economics 101.

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**Frank Simmons**

4 days ago

with more people moving to the state, Texas gets more revenue per gallon consumed because it's a flat tax regardless of price fluctuations. Inflation has averaged less than 1 percent annually in ten years. We also drive more gas consuming vehicles i.e. Pick-ups and sport utilities per capita than any state in the country and we drive on average 22,000 miles per year. Also in 10 years we have population growth in excess of 5 million people, the size of several states so in aggregate we use a lot more fuel. Have you not noticed the price of the tolls and the shorten intervals per mile? That eats up your inflation argument. I get it. You either work for the toll road authority or in toll construction or related conflict. I can deduct a tax but not a toll. Macro 101.

Reply Share 1 reply

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**Jason**

1 day ago

We drive an average of 22,000 miles per year?? Where on earth did you come up with that one? PATENTLY FALSE!

Average mpg has increased significantly, despite our preference for SUVs and trucks. As the manufacturer fleet standards have increased, so has the mpg of the cars being offered and sold.

Inflation in road construction prices has been significant, certainly more than 1% per year. You're citing a CPI number based on a "basket of goods" but excluding many other factors.

Do some homework before posting fiction as fact.

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**Jason**

1 day ago

Some could argue that those who use the roads are the ones paying for them.

Otherwise the guy buying the 80,000 Tesla would never pay a dime for the roads he drives on. How is that fair?

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**Manu Dance**

4 days ago

no more toll roads

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12 2



**Ken Duble**

4 days ago

Your rants would make more sense if you presented your alternative vision.

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3 2



**Susan Wansbrough**

4 days ago

Increase taxes to meet the actual needs of a modern state, including highways.

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3 1



**Truque Johanssen**

1 day ago

By 'modern state', I assume you mean New Jersey?

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