Promises Made to Texans, Should Be Promises Kept
It’s Time for Toll Road Smoke & Mirrors to End

November 6, 2017

Mr. Bruce Bugg
Chairman, Texas Transportation Commission
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701

Dear Chairman Bugg:

As the Texas Transportation Commission prepares to adopt its new Unified Transportation Plan (UTP) in December, there are a number of toll projects the Texas Department of Transportation (TxDOT) is planning to adopt into the state’s 10-year plan that give taxpayers great concern. Those projects include – but are not limited to – I-35 in Austin and San Antonio, I-635 E in Dallas, I-45 in Houston, and Loop 1604 in San Antonio. Our strong objections are defined and sourced as follows:

First, Governor Greg Abbott promised to build Texas roads without raising taxes, fees, debt or tolls:

♦ In a campaign ad, Abbott said his plan for transportation, which calls for ending diversions, “adds billions for new road construction without raising taxes, fees or tolls. We pay for it by ensuring that money dedicated to roads will be spent only on roads.” [link]

♦ Governor Abbott Addresses Transportation & Infrastructure Summit, Issues Directive To Transportation Commission To Reduce Congestion [link]

“To improve our infrastructure and make it the best in America, we passed legislation that dedicates more than $4 billion a year to build more roads without raising taxes, fees, tolls or debt. This funding comes from 3 places. One is the funding received from Proposition 1. Two, it ends diversions of state highway funds. Tax dollars paid for roads should be spent on roads. Third, it constitutionally dedicates part of the existing sales tax and motor vehicle sales tax. This funding ensures TxDOT has the sustainable, recurring and predictable revenue needed to plan large-scale, multi-year construction projects.” Governor Greg Abbott
Governor Abbott’s own Tweet:

I promised to build more roads WITHOUT raising taxes, tolls, fees, or debt. We’re doing that now.

Joe Knauth @GKnauth
Replying to @GregAbbott_TX
Sir, you post a lot of opinions on everything from illegal to Obama. WHAT IS YOUR STANCE ON PRIVATE TOLLROADS THRU RURAL TX?

4:45 PM - 10 May 2016
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The aforementioned projects (and others in the wings) would impose a new toll tax on Texas drivers. This tax levy would come from boards whose members Texans never had a say in selecting. Toll projects also impose new debt. The state and local road debt, including toll road debt, now exceeds $80 billion.

**Second, most of these toll projects will require public subsidies.** Whether it’s federal TIFIA loans, federal Private Activity Bonds, or gasoline taxes, none of these projects can pay for themselves with toll users only. If all Texans are paying to build these toll lanes in the middle of our existing interstates and public highways, then all Texans should be able to freely access them without paying a double tax!

The legislature passed SB 312 that requires gasoline taxes allocated to toll projects to be repaid; therefore, no outright grants of gas tax funds should be made. However, a giant loophole was put into the bill that TxDOT believes grandparents all the toll projects listed above. Section 42. Subsection 372.002(d)(2) of SB 312, which was added in conference, says the new law doesn’t apply to toll projects where the environmental review process commenced prior to January 1, 2014. **TxDOT and the RMAs lobbied for this loophole knowing that all the major toll projects being propped up with gas tax could still advance as toll projects with this language inserted.** These unelected bureaucracies want Texans to pay twice to use the same stretch of highway. *Their efforts subvert the promises made by Governor Abbott!*

In the case of Loop 1604, it’s questionable whether or not it was grandfathered since the environmental study that commenced prior to January 1, 2014 was halted and the project broken up into two new projects. TxDOT would like to have it both ways - they want to claim the environmental study already commenced, yet the Texas Transportation Commission just approved $17 million in gas taxes so that this toll project can begin the environmental work (on what’s essentially a different project with different project termini than what was being studied prior to January 1, 2014).²

**Third, most managed lane projects (such as those aforementioned), involve congestion pricing.** This allows the tolls to rise and fall with the level of congestion. Naturally, that means Texans will pay a premium to

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¹ Texas Department of Transportation, HB 2612 Report, 2016, and Texas Department of Transportation, $31 Billion Road Debt, 2011.
drive during peak hours and there’s no limit on how high those tolls can go. We’re seeing toll rates as high as $24/day under these scenarios!

This tax burden is unacceptable and cannot continue. It drives up the cost of everything we buy; it keeps the vast majority of the traveling public out of those lanes, making congestion permanent on the ‘free’ lanes; and allows Big Government to restrict who gets access to a fast ride and who doesn’t – based on time of day, how many people are in your car, or what mode of travel you’re in. This anti-citizen and contravenes the principles of liberty and freedom of movement the majority of Texans not only expect – but demand.

Finally, Prop 1 and Prop 7, together with ending diversions, gave TxDOT nearly $5 billion a year in new funding. The vast majority of these new funds did NOT get allocated to the 100 Most Congested Roads as the Texas Clear Lanes Initiative promised. By squandering the new funding on lower priority projects, this gave the agency the ability to claim there’s still not enough money to do the big projects without tolls. They were counting on passing a bill to re-authorize public private partnerships to save their bacon, but because the grassroots defeated that bill, TxDOT is predictably scrambling for any and all public funds to subsidize their toll projects. But here’s the problem — Texans do not want more toll taxes. Gov. Abbott’s Commission needs to prioritize the new funds and direct them to the most congested projects that have already been waiting for funding for over a decade.

We urgently ask the Commission to advance the expansion of these vital corridors as non-toll. Under no circumstances should the Commission vote to approve these projects in the UTP as toll projects, knowing full well that to do so exploits a loophole using gas taxes to subsidize toll projects and double tax Texans against their will. It most assuredly violates the promises of Governor Abbott to solve traffic congestion and build roads without tolls.

Let’s work together to get our roads completed without further adding to the tax burden for hard working families!

Thank you for your service to the people of the great state of Texas. We look forward to hearing from you on this most pressing matter.

Sincerely,

Terri Hall, Founder/Director, Texas TURF & Texans for Toll-free Highways
JoAnn Fleming, Executive Director, Grassroots America - We the People PAC
Cathie Adams, First VP Nat’l Eagle Forum; Past President, TX Eagle Forum
Trayce Bradford, President, Texas Eagle Forum
Michael Olcott, Co-Founder of Parker County Conservatives
Dr. Laura Pressley, Ph.D., Founder, Save Our Texas Vote
Stacy McMahan, Executive Director, East Texans for Liberty
Toni Fabry, Chairman, Frisco Tea Party
Tom Fabry, Treasurer, Frisco Tea Party
Suezette Griffin, President, Clear Lake Tea Party, Pearland
Dale Huls, Executive Board, Clear Lake Tea Party
Mary Huls, Executive Board, Clear Lake Tea Party
Ivette C Lozano, MD, Past President Dallas County Republican Assembly, Dallas

Julie McCarty, President, NE Tarrant TEA Party
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Bill Hussey, Founder/VP, Llano Tea Party
Buck Kelsey, Past President, Llano Tea Party
Pat Tibbs, Montgomery County Tea Party PAC
Jeff Judson, Republican Precinct Chair 3020, San Antonio
Tanya Robertson, SREC SD 11
Michael Kinzie, Founder, TEAParty911.com
Penny Story, Founder, Constitutional Conservative Activists
Rick Eisenbach, President, Grassroots America - We The People PAC
Bradley Whatley, Flower Mound Area Republican Club
Don Dixon, San Antonio
Janie Brittain, Steering Committee Member, Garland Tea Party
Peter Batura, Vice President, TFIRE, Houston
Rena & David French, charter members, Grassroots America – WTP PAC
Bill Bingham, Bryan-College Station Tea Party VP
Carroll Maxwell, Past President Collin County Conservative Republicans
Mark S Ramsey, P.E., Houston
Terry Wade, Pct. Chair 69, President Collin County Conservative Republicans
Mary Joe Cason, Kaufman County Tea Party
LaDaune Ashley, Brazoria County Precinct 6 chairwoman
Wes Brumit, Voice of Conservatism and Liberty, VOCAL PAC, Longview
Jorge Luis Perez, Greenville
Vince May, TX Libertarian Party, Transportation Committee Member, Elgin
Carol Doucet, Founder, Conservative Society of Navarro County
Jackie King, Co-Founder, Conservative Society of Navarro County
Dottie Barnes, Co-Founder, Conservative Society of Navarro County
Geri Bentley, Founding Member and Treasurer, Clear Lake Tea Party
Anna Bartosh, Treas., San Angelo Tea Party; Board, Concho Valley GOP Women
Tammy Blair, Chair, Cherokee County Republican Party
Brian E. Newman, President, McKinney Tea Party, Collin County
Betty Fallert, Membership/Hospitality Chair, Kaufman County GOP; Kaufman County Tea Party Steering Committee
Carole H. Haynes, Ph.D., Co-Founder, Citizens Matter, Dallas
Bob Farris, Co-Founder, Citizens Matter, Dallas
Dennis McKee, Retired Mesquite Police Officer, Kemp
Barbara McKee, Kemp
Sheri Edwards, Brazoria County Precinct Chair
Barbara Harless, Founder, North Texas Citizens Lobby, Collin County
Vicki Slaton, SREC SD 2, Dallas
Bryan Slaton, Candidate, House District 2, Dallas
Karen Miller, Georgetown
Rick Lutowski, Georgetown
Rick Jackson, Kaufman County Prec. Chair, Steering Committee, Kaufman County Tea Party
Karen Albright, President, Freestone County TEA Party
Gene Teel, Austin
Mary Ann Teel, Austin
Melinda Marler, Williamson Co. GOP Prec. 392 Chair; Texans 4 Truth, Georgetown
Kim Rimmer, Dallas County Republicans, Cedar Hill
Bob Martin, Pres. Homeowner-Taxpayer Association of Bexar Co. San Antonio
Connie Curry, West Texas Conservative Leadership
Marty Hiles, President, Texas Concerned Citizens, Ellis County
James Stanley, Chairman, Henderson County TEA Party
Joyce Peterson, San Antonio Tea Party, Bexar Co. GOP Women, Homeowner Taxpayer Association, San Antonio
Michael Tait, Boerne
Yvonne Tait, Boerne
Dr. Ross Rost, DDS, Austin
Jeanette Rost, DDS, Austin
David Ramos, San Antonio
Linda Ramos, San Antonio
Joe Maloney, San Antonio
Nancy Dillard, President, Denton County Conservative Coalition
Susan Lucas, Secretary, Denton County Conservative Coalition
Dennis Cable, State Republican Executive Committee (SD 1), Tyler
Malcolm Mc Clinchie, Former Mayor, Bulverde
Sheryl J. Huff, San Antonio
Monroe Frerich, Spring Branch
Pauline Frerich, Spring Branch
Matt Troy, San Antonio
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Dan Smith, Ret. USAF, San Antonio
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Annette Bennett, Fredericksburg
Angela Smith, Fredericksburg Tea Party, Fredericksburg
Matt Long, President, Fredericksburg Tea Party, Fredericksburg
Matt McCall, Boerne
Jim Wooten, Richardson
William S. Wright, Former Election Judge & GOP Precinct Chair, Fort Worth
Mary Himlin, First Vice-President, Kendall County Republican Club, Boerne
Teena Reichardt, Boerne
Mary Jean Tykoski, Nevada
Brian Mitchell, Leander
Tammy Harpin, Nacogdoches
Kelly Gramza, Rowlett
Fred Daugherty, Wylie
Kay Daugherty, Wylie
George Pangborn, President, Highland Lakes Tea Party
Michael Cargill, Executive Director, Texans for Accountable Government, Austin
Mary Anderson, Texans Against Tolls, Austin
Judy Kent, President, Republican Women of Northeast Texas
Russ Ramsland, Founder, Park Cities/Preston Hollow Leadership Forum, Dallas
David Spear, Red Oak
Bob Terrill Jr., San Antonio
Clarence R. Cox, Canyon Lake
June Cox, Canyon Lake
Otoniel Cantu, Bulverde
Erin Cantu, San Antonio
Terrell Graham, Kenedy
Pat Graham, Kenedy
Melissa Cubria, Past Executive Dir., TX Public Interest Research Group, Austin
Laura Kish, San Antonio
Jo Lynn Haussmann, Carrollton
Terry Lynch, Legislative Chair, Park Cities Republican Women, Dallas
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Sherry Bigelow, Kerrville
Robert W. Throckmorton, Col USAF (Ret), San Antonio
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George Rodriguez, Former President, San Antonio Tea Party, Raging Elephants Radio, El Conservador – Broadcast activist, San Antonio
Nelson R Smith, San Antonio
David Carter, Temple
Jan Carter, Temple
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Byron Juen, San Antonio
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Rick Sartor, San Antonio
Bob Sartor, Former Mayor Hollywood Park, San Antonio
Robert Fuller, Precinct Chairman 588, Harris County
Joy Fuller, Harris County
Vicki Walker, San Antonio
Greg Ehrlich, Spring Branch
Lydia Ehrlich, Spring Branch
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Warren Caples, New Braunfels
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Michelle Molina, Bulverde
Roger Hall, Spring Branch
Jaclyn Hall, Spring Branch
Jenna Hall, Spring Branch
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Warren Wagner, President, Package Products & Services, Inc., Bulverde
Nancy Guinn, San Antonio
Nancy Demel, Retired Teacher, Spring Branch
Jim Demel, Spring Branch
Leland Stewart, Converse
Eric Schultz, Austin
Gary Gentz, Henderson County Tea Party, Eustace
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Georgia Stapleton, President, Ft. Worth 912, Ft. Worth
Jack Finger, San Antonio
Rick Doucette, San Antonio
Mel Borel, San Antonio
Linda Borel, San Antonio
Candy Marshall, Boerne
Michael Ingersoll, San Antonio
Stephanie Ingersoll, San Antonio
Pam Farris, San Antonio Tea Party, San Antonio
Beverly Adams, San Antonio Tea Party, San Antonio
Doc Gray, San Antonio
Kurtis Pickett, San Antonio
Claudine Lloyd, San Antonio
Nathan Morgan, San Antonio
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Jim Lamberth, San Antonio
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Hans Rohl, San Antonio
Michael Leah, Helotes
Brian Vilders, Cibolo
Michael Kleinman, Austin
Mary Vance, Kyle
Paul Van Zandt, Arlington
Guadalupe Gonzales, San Antonio
Kerry Wooster, Brazoria
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Michael Holt, Holt Land & Cattle, Spring Branch
Kris Biedenharn-Ressel, San Antonio
Fred Marvin, Austin
Mitch Huff, San Antonio
Benedict LaRosa, San Antonio
Dr. Thomas G. Price, Austin
Joseph Schultz, Round Rock
Brian Phillips, Garland
George Pavlik, San Antonio
Greg Milner, La Porte
Bob Brewer, Homeland Owners Association, Smith County
Bill Eastland, Tarrant Precinct Chair, Former SREC, SD9, Ft. Worth
Terry Ullman, San Antonio
Susan Moore, San Antonio
Sarah Stevick, Former Councilmember and Mayor of Bulverde
Barbara Croft, Dayton
David Astwood, San Antonio
Michael Murphy, San Antonio
Marie Hughes, San Antonio
Rede Beitman, Wylie
Richard Keoughan, San Antonio
Greg Billingsly, Southlake
Nicole Williams, Williamson Co. GOP Prec. Chair, Texans for Accountable Government, Steering Committee Member
Harvey Hild, Seguin
Michael Chambers, American Freedom Defenders, Houston
Ellen Koontz Moore, San Antonio
Stephen Van Gaasbeck, Attorney, Helotes
Ginger Russel, Director, Texas Homeschool Freedom, Montgomery County
Larry Korkmas, President, TFIRE, Houston
Susanne Guggenheim, Programs/Events Chair, Corpus Christi Tea Party
Judy Brady, Salado
Dave Robbins, Waco
Jill Robbins, Waco
Dr. Mark Berry, San Antonio
Dr. Sue Berry, San Antonio
Victor Heddins, Coldspring
Josie Schoolcraft, President, Cherokee County Republican Club
Dr. Dwayne Collins, Chairman, Edom TEA Party

[Note: The names on this communication represent leaders of 67 distinct organizations/districts. Many are opinion leaders of statewide groups.]

CC: The Honorable Governor Greg Abbott
    The Honorable Lieutenant Governor Dan Patrick
    House Speaker Joe Straus
    Members of the Senate Transportation Committee
    Members of the House Transportation Committee

Organizational names are used for identification purposes only.