

Sunset Advisory Commission Staff Report, Texas Department of Transportation

TX DOT Comments Submitted

Amy Tripp and Jennifer Jones and staff are to be commended for their long and exhaustive review of TXDOT and its ability to provide Texans the state public road system.

My professional experience is as an engineer, inventor of products, founder of a manufacturing company supplying automobile air conditioners to world markets.

I got involved thirteen years back in action to reform TXDOT when proposition 15 in 2001 and HB 3588 in 2003 caused major problems with liberty, freedom, debt, and tax problems for Texans relating to the state highway system.

While my comments will address most of the staff report, I will put major focus on agency efficiency and performance, and how TXDOT programs and policies effect ordinary Texans as they drive on Texas state highways. My knowledge and experience with Texas highways covers a solid 70 years, and in depth experience with the failed policies of the past 15 years and I have written and testified regarding corrective solutions to these issues. History will support that in another day Texas had the best state public road system anywhere, that is the most efficient to design and construct but also the lowest cost to use. That is commonly referred to as the Dewitt Greer model which was common since engineered based system where the planning, engineering, and project management was all performed in house, resulting in agency simplicity and at performance efficiencies much greater than other states. His absolute rule was that all needed projects was completely designed, right of way possessed, all in a large inventory of completed ready to let for construction plan sets, in well advance of when the " money came in the door" for construction.

The sunset report is very clear that TXDOT of today operates under a culture of complexity and resulting inefficiency. I also believe that performance has been greatly compromised because TXDOT is not designing projects and performing project management with in house engineers.

In talking to the engineering contracting review experts, they still have to closely oversee the quality, and accuracy of the outside engineering product, so it is much more efficient to design in house in the first place. There is a doubt in my mind that with the anticipated influx of new funding, that TXDOT will not be able to perform at an efficient level so the tax payer gets the best product at the lowest cost. To address the performance issues, the agency should request and hire professional engineers and other employees needed to meet public performance expectations. Tighter control of the design is currently needed to simplify the design and shed the extra cost frills. Complexity and frills drive up the cost and lengthen the time to construct.

In regard to performance of construction contractors, from the public side, expectations are not met due to long construction time for project completion. TXDOT must shorten the time to complete many of the construction projects, for a slow to build project has grave negative economic impacts. There must be a balanced sweet spot in order to accomplish

fast construction times and maximum efficiency, such as longer hours on job per day, optimum workers, equipment, and planning and supervision. Early completion incentives may be the answer, but whatever it takes, it must be done. The delay companies and non performing must be identified and eliminated from the start. Time delays can not be tolerated. Needed projects are way behind as it is, so the public and business can not afford another I 35 Salado type delay. A reasonable goal to satisfy public expectation, is to take the current average time to construct now and cut it in half and see if that could be done cost effectively. The public economic benefits of faster construction times and less disruptions are extremely valuable. In 1956 I observed the harbor freeway between downtown L. A. And Long Beech being constructed. They used a continuous build process, working non stop, building complete and using as they progressed down Figaroia toward Long Beech. That was in 1956, and it was build in very short time.

Much effort and reporting was done by Sunset staff regarding project selection process, and rightly so, for I am not convinced that HB 20 is getting the intended results. If any part of the process is not working, it is the large MPO's. It is a broke system, with power politics and special interest agendas carrying the day instead of priority and safety engineering being the premiere criteria for selecting projects. Many of the members that have voting power are appointed bureaucrats and are not accountable to the public. Even the elected members will vote for very bad policy, and they know it is wrong, but vote to get along in hopes of getting others support for their pet project. There is a public comment, but the public opinion means that the box was checked and the public is tolerated but once the bad projects are put on the agenda, they always pass, or they are not even put up for a vote in the first place. The smaller MPO's are not as political and they provide more common sense project selection and work better than the large MPO's. TXDOT needs to be stronger leader when ill advised or wasteful projects are approved by the MPO' and TXDOT should not put any public money into these low priority projects. Safety and capacity has been compromised and needed funds for highways are used to build bike lanes on a high speed state road. In the project selection process to use prop 7 congestion relief funds In San Antonio, the near most congested highways were bypassed and prop 7 funds were used on expensive very low priority projects, and the near most congested projects were selected as toll projects instead. The public does not support hurting our tourist and military economy by tolling our most congested roads and want prop 7 funds to be used for congestion relief on these high priority roads.

TxDOT efficiency has been compromised and much public money wasted with the establishment of the duplicative bureaucracy in the regional mobility authority's , for they are a high debt high road tax boondoggle and should be dissolved. It is TXDOT's duty and responsibility to build and control the state highway system, and TXDOT loses control when they turn roads over to the RMAs. And even worse for the tax payer, the R M As have the power to tax. It is never good for the taxpayer when a bureaucracy has the power to tax

state roads.

In order to stop the patchwork quilt of the public road system, TXDOT must fulfill its duties and should cease turning over the state public system to the RMA's, take back control from these wasteful duplicative, high tax bureaucracies.

In addition to correcting the very serious issues of efficiency and performance to provide public roads to all Texans economically, even more serious is their failure to serve all Texans fairly and equally. One of the major cornerstones of Governor Abbott's Texas values and a pillar of his good leadership is liberty. It is in the liberty and freedom area that TXDOT needs the most improvement. The millions of Texans are paying taxes into the state to provide the obvious benefit of a public state road that everyone can use, without hassle and without restriction, but that very liberty and freedom is not happening for many. Their public road taxes are going into subsidizing a high tax toll road or a controlled limited access by price Lexus lane, thus excluding many Texans who now can not use the road because of the high tax and they are being disenfranchised onto slow sometimes unsafe back roads or city streets. The same liberty and freedom issues are a result of TXDOT limiting access to exclusive HOV- bus lanes, the Texan pays their taxes in to build the road but are denied the freedom to use the road. TXDOT is limiting freedom and liberty to many, many Texans, and that is not the Texas way. The state public road should be a public service to everyone regardless of income, privileged status or location. All Texans should be free to use state public roads, not just the wealthy. Some of the taxes on restricted Texas public roads is as high as 15 dollars per gallon equivalent for a car, there is a large number of Texans who can not afford that high tax.

The major issues that need corrective action are long imbedded agency culture problems. Now with sunset review, now is the time for change for the better of Texans and the agency. With the multitude of problems that need correction, TXDOT should be reviewed again in four years instead of the recommended twelve years.

Don P. Dixon