



See how **pro-taxpayer** and **pro-property rights** your Texas state legislators were on transportation and property rights legislation in the 88th Session of the Texas State Legislature in 2023.

The overall methodology & list of the bills used to compile this Report Card can be found on the last two pages.

REPORT CARD

Governor Greg Abbott

Abbott's anti-toll campaign promise to 'fix Texas roads without raising taxes, fees, tolls or debt' held up this session. However, our continued criticism of the Governor is his lack of help in getting our reform bills through a stubborn legislature, like capping toll fines and fees and taking the toll off the road once the road is paid for. The new front in the freedom to travel battle is the Green New Deal radical push for remote kill switches in all cars, attacks on fossil fuel powered vehicles (push for EVs to replace all gas powered cars), deliberate slowing of our roads to force changes in behavior (to get you out of your car and into transit, walking or biking), and actually shrinking roads (reducing the lanes available to cars and giving them to cyclists, buses, and pedestrians - which only represents a mere 5-9% of commuters). Abbott's aides tell us the Governor is against these policies, but he was nowhere to be found to help us protect our travel liberties.

B-

Lt Governor Dan Patrick

While Gov. Patrick helped us block the mileage tax bill (which was MAJOR) and the bill to extend the private toll contract on SH 130 another 20 years, he continues to appoint Sen. Robert Nichols as Chair of Senate Transportation. He's a major roadblock to our bills, especially the bill to take the toll off the road when its paid for and has sworn it'll NEVER pass as long as he's the chair. The Lt Gov. also allowed several bills through that would intentionally slow down cars and increase penalties on drivers. He was also notably absent in helping our pro-driver bills like preventing road diets and remote kill switches from being put in all cars make it out of committee much less to the senate floor.

B-

Speaker Dade Phelan

Phelan's choice to keep Rep. Terry Canales as Chair over House Transportation continues to be a disaster for taxpayers. All of the bad bills that passed this session originated in the House. The legislature under his leadership passed a mileage tax bill, a bill to extend the private toll operator's sweetheart contract on SH 130 another 20 years (bringing its monopoly on that highway up to 70 years total), a bill to allow cities unilateral authority to intentionally slow cars down to 20 MPH on highways (and another to allow TxDOT to reduce speeds whenever and wherever they want), bills to raid constitutionally-dedicated gas taxes for non-road purposes (transit, bus lanes, bike lanes, & space ports), EV giveaways, a bill to triple penalties on drivers if they fail to move over for emergency vehicles in time, another to increase the penalty if cars/trucks fail to give bikes and pedestrians a 3 or 6 foot buffer while passing them, another to double traffic fines if TxDOT designates it a 'highway safety corridor,' and a vehicle registration fee hike of \$20 for Bexar County drivers. The Speaker allowed every one of these anti-taxpayer bills to get through Canales' committee and many through the full House.

F



The House of Representatives

REPORT CARD

House District 131	Alma	Allen	F
House District 121	Steve	Allison	F
House District 103	Rafael	Anchia	F
House District 56	Charles "Doc"	Anderson	F
House District 57	Trent	Ashby	F*
House District 18	Ernest	Bailes	F*
House District 3	Cecil	Bell	F
House District 4	Keith	Bell	F*
House District 123	Diego	Bernal	F
House District 92	Salman	Bhojani	F
House District 24	Greg	Bonnen	F
House District 113	Rhetta	Bowers	F
House District 114	John	Bryant	F
House District 54	Brad	Buckley	F*
House District 136	John	Bucy, III	F
House District 63	Benjamin	Bumgarner	F*
House District 58	DeWayne	Burns	F*
House District 83	Dustin	Burrows	F
House District 112	Angie Chen	Button	D**
House District 128	Briscoe	Cain	A-* **
House District 119	Liz	Campos	F
House District 7	Terry	Canales	F
House District 98	Giovanni	Caprigilone	D+* **
House District 11	Travis	Clardy	F*
House District 46	Sheryl	Cole	F
House District 95	Nicole	Collier	F
House District 96	David	Cook	C* **
House District 117	Phillip	Cortez	F
House District 82	Tom	Craddick	F* **
House District 127	Charles	Cunningham	F
House District 72	Drew	Darby	F
House District 111	Yvonne	Davis	F
House District 7	Jay	Dean	C+**
House District 133	Mano	DeAyala	F*
House District 122	Mark	Dorazio	D-*
House District 142	Harold	Dutton	F
House District 51	Lulu	Flores	F
House District 69	James	Frank	F*
House District 61	Frederick	Frazier	F
House District 38	Erin	Gamez	F
House District 124	Josey	Garcia	F

* Authored BAD bills or amendments ** Authored one or more GOOD bills or amendments advocated by TURF
If you see both, they are a 'mixed bag'



REPORT CARD

House District 28	Gary	Gates	F*
House District 17	Stan	Gerdes	F*
House District 99	Charlie	Geren	F
House District 120	Barbara	Gervin-Hawkins	F
House District 97	Craig	Goldman	F
House District 104	Jessica	Gonzalez	F
House District 75	Mary	González	F
House District 47	Vikki	Goodwin	F
House District 41	Bobby	Guerra	F
House District 31	Ryan	Guillen	F
House District 126	Sam	Harless	F
House District 52	Caroline	Harris	D**
House District 8	Cody	Harris	D* **
House District 10	Brian	Harrison	B+* **
House District 57	Richard	Hayes	D-*
House District 5	Cole	Hefner	D*
House District 143	Ana	Hernandez	F
House District 34	Abel	Herrero	F
House District 49	Gina	Hinojosa	F
House District 33	Justin	Holland	F
House District 48	Donna	Howard	F
House District 138	Lacey	Hull	D*
House District 32	Todd	Hunter	F
House District 73	Carrie	Isaac	B-* **
House District 26	Jacey	Jetton	F
House District 134	Ann	Johnson	F
House District 115	Julie	Johnson	F
House District 139	Jarvis	Johnson	F
House District 147	Jolanda	Jones	F
House District 100	Venton	Jones	F
House District 12	Kyle	Kacal	F
House District 88	Ken	King	F
House District 80	Tracy	King	F*
House District 85	Stan	Kitzman	F
House District 91	Stephanie	Klick	F*
House District 44	John	Kuempel	F
House District 76	Suleman	Lalani	F
House District 71	Stan	Lambert	F
House District 81	Brooks	Landgraf	B+* **
House District 67	Jeff	Leach	F*
House District 23	Terri	Leo-Wilson	A* **
House District 35	Oscar	Longoria	F
House District 37	Janie	Lopez	F

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REPORT CARD

House District 125	Ray	Lopez	F
House District 43	J.M.	Lozano	F
House District 118	John	Lujan	F
House District 22	Christian	Manuel	D**
House District 39	Armando "Mando"	Martinez	F
House District 116	Trey	Martinez Fisher	F
House District 16	Will	Metcalf	B* **
House District 108	Morgan	Meyer	F
House District 105	Terry	Meza	F
House District 78	Joe	Moody	F
House District 145	Christina	Morales	F
House District 74	Eddie	Morales	F
House District 148	Penny	Morales Shaw	F
House District 30	Geanie W.	Morrison	F
House District 36	Sergio Jr.	Munoz	F
House District 53	Andrew	Murr	D-*
House District 107	Victoria	Neave	F
House District 89	Candy	Noble	D+* **
House District 130	Tom	Oliverson	C*
House District 76	Claudia	Ordaz Perez	F
House District 13	Angelia	Orr	F
House District 77	Evelina 'Lina'	Ortega	F
House District 106	Jared	Patterson	C-* **
House District 129	Dennis	Paul	C-*
House District 144	Mary Ann	Perez	F
House District 70	Mihaela	Plesa	F
House District 87	Four	Price	F
House District 102	Ana-Marie	Ramos	F
House District 14	John	Raney	F
House District 42	Richard Peña	Raymond	F
House District 27	Ron	Reynolds	F
House District 60	Glenn	Rogers	F*
House District 90	Ramon	Romero. Jr.	F
House District 110	Toni	Rose	F
House District 135	Jon	Rosenthal	F
House District 6	Matt	Schaefer	A+* **
House District 93	Nate	Schatzline	C+* **
House District 132	Mike	Schofield	D
House District 66	Matt	Shaheen	C* **
House District 109	Carl	Sherman	F
House District 55	Hugh	Shine	F
House District 59	Shelby	Slawson	A* **
House District 62	Reggie	Smith	C-*

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REPORT CARD

House District 86	John	Smithee	F
House District 68	David	Spiller	F*
House District 64	Lynn	Stucky	F*
House District 150	Valoree	Swanson	A-* **
House District 52	James	Talarico	F
House District 84	Carl	Tepper	D*
House District 146	Shawn	Thierry	F
House District 65	Kronida	Thimesch	D-* **
House District 29	Ed	Thompson	F
House District 141	Senfronia	Thompson	F
House District 94	Tony	Tinderholt	D-*
House District 15	Steve	Toth	B*
House District 19	Ellen	Troxclair	F*
House District 101	Chris	Turner	F
House District 1	Gary	VanDeaver	F*
House District 25	Cody	Vasut	B-* **
House District 149	Hubert	Vo	F
House District 140	Armando	Walle	F
House District 20	Terry	Wilson	D-*
House District 137	Gene	Wu	F
House District 45	Erin	Zwiener	F

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The Senate

REPORT CARD

Senate District 6	Carol	Alvarado	F
Senate District 7	Paul	Bettencourt	A++**
Senate District 22	Brian	Birdwell	A**
Senate District 29	César	Blanco	F
Senate District 25	Donna	Campbell	C+*
Senate District 4	Brandon	Creighton	A+**
Senate District 14	Sarah	Eckhardt	F
Senate District 24	Pete	Flores	B+
Senate District 19	Roland	Gutierrez	F
Senate District 2	Bob	Hall	A++**
Senate District 9	Kelly	Hancock	A**
Senate District 20	Juan "Chuy"	Hinojosa	F
Senate District 17	Joan	Huffman	B+
Senate District 1	Bryan	Hughes	A++**
Senate District 16	Nathan	Johnson	F
Senate District 10	Phil	King	A**
Senate District 18	Lois	Kolkhorst	A++**
Senate District 27	Morgan	LaMantia	F
Senate District 26	Jose	Menendez	F
Senate District 11	Mayes	Middleton	A++**
Senate District 13	Boris	Miles	F
Senate District 3	Robert	Nichols	C+**
Senate District 12	Tan	Parker	C+*
Senate District 8	Angela	Paxton	A**
Senate District 28	Charles	Perry	B+
Senate District 5	Charles	Schwertner	A++**
Senate District 31	Kevin	Sparks	A++**
Senate District 30	Drew	Springer	A+**
Senate District 23	Royce	West	F
Senate District 15	John	Whitmire	F
Senate District 21	Judith	Zaffirini	F

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Our top priorities for the 88th Legislature

- Remove the toll when the road is paid for (toll cessation).
- Expand toll collection reform to ALL toll entities, capping fines/fees, and removing the criminal penalty for unpaid tolls (impounding cars, blocking vehicle registrations).
- Protect Texas drivers from remote kill switches being installed in their vehicles.
- Protect drivers' right to repair (more info here: <https://www.texasurf.org/protect-drivers>).
- Protect Texans from 'road diets' that shrink the number of lanes available to cars and give them to bikes, buses, and pedestrians.

Our Bills & Result

HB 2325 (Shaheen) - Remove the toll when the road is paid for, ends the practice of combining toll projects together into one financial system using 'system financing,' gimmick used to 'show' no toll road is ever paid for. Perpetual tolling violates the Texas Constitution Art. I, Sec. 26 that prohibits perpetuities. **Didn't even get a hearing by Chair Canales.**

SB 316 (Hall)/HB 2991 (Harrison) - Toll billing/collection reform, creates uniform, more transparent billing practices, caps excessive fines and fees, and de-criminalizes an unpaid toll bill. **Got a token hearing in House Transportation when it was too late in session to pass.**

SB 931 (Middleton)/HB 1031 (Slaton), HB 4661 (Slaton) - To prevent vehicle manufacturer or government from installing or enabling remote kill switch in Texas vehicles. HB 4661 would exempt any vehicle 100% made in Texas from federal requirements, including the kill switch. **No hearing in either House State Affairs or Senate Transportation Committee.**

SB 2024 (Middleton)/HB 4435 (Schatzline) - Dubbed the 'Right to Drive Act,' which includes protection from vehicles with remote kill switch, right to own/drive a fossil fuel powered car, right to drive in a vehicle with human decision-making (vs being forced into autonomous vehicle), and right to repair. Right to Repair addresses a critical component of our ability to maintain freedom of movement. Auto makers now wish to sell you software, not hardware. Manufacturers are designing vehicles with planned obsolescence, like your computer or iPhone, where they just won't support the replacements parts which forces you to buy a new car. Except now you've paid tens of thousands for the vehicle, and either a corporation or the government can stop you from using it. Right to repair ensures that we are able to hire independent professionals to repair our vehicles rather than being forced to pay astronomical prices to manufacturers or dealers to repair. **No hearing in House State Affairs nor Senate Transportation Committee.**

SB 1293 (Hall)/HB 3281 (Leo-Wilson) - To prevent local governments from shrinking the number of lanes on our roadways, commonly known as a 'road diet.' Mayors and local officials in many Texas cities have even declared their intentions to create road scarcity in order to force drivers out of their cars and into mass transit. Road space is being hijacked and handed over to dedicated bus and bike lanes, jutting curbs, and sidewalks -- outright shrinking or removing the number of lanes available to cars. This bill would protect drivers from the creation of road scarcity and intentional congestion. **Didn't even get a hearing by Chair Canales nor Chair Nichols in either Transportation Committee.**

Methodology

There were 27 bills used to determine the grades of the 88th Legislature. Not all legislators voted on all 27 bills. Some were strictly committee votes, others were a vote by the full House or full Senate, but might not have made it to a floor vote in the opposite chamber. Below are the bills we tracked. Every lawmaker was notified prior to each vote of TURF's opposition and/or support of these bills and why.

NOTE: If a member authored one of our reform bills, that received a step up in their grade. Conversely, if a member authored one of the bad bills, they were downgraded by a step for each one.

Bills used for Report Card

Transportation

BAD Bills:

HB 3418 (Canales) - To study how to impose a new mileage tax (a toll on EVERY mile you drive). The original filed version directed TxDOT to: 'vary pricing based on the time of driving, type of public highway, proximity to transit, vehicle fuel efficiency, participation in car-sharing or pooling, or the income of the operator.' So they would have charged those they determine can pay more a HIGHER mileage tax base don income. Passed House, but stopped in Senate.

HB 2795 (Canales/Campbell) - To extend the foreign-owned toll contractor SH 130 for another 20 years in exchange for the private operator building an extension from I-35 in New Braunfels to SH 130 built at no cost to the state (however, at tremendous cost to drivers). Extending this contract would gouge Texas drivers for an additional 20 years (to the year 2062) on a road that's already paid for (its debt was wiped out in bankruptcy court in 2017). These private corporations already get taxpayer subsidies/guarantees of all sorts, charge punitively higher tolls, & make all Texas taxpayers pay for any uncollectible tolls. Who benefits the most from a direct connect ramp onto a private toll road? The foreign company making bank on drivers, exploiting the relentless congestion on I-35. Passed House, but stopped in Senate.

HB 1885 (Canales) - Allows TxDOT to 'temporarily' reduce the speed limit at least 10 MPH below the posted speed for virtually any reason (except to reduce speeds on non-toll lanes to force traffic onto tollways). Fails to define 'temporary' — could last indefinitely. Expect those inactive work zones to be slower for months and even years with lower posted speeds spread like a virus. Became law.

SB 1663 (Alvarado)/HB 2224 (Hernandez) - Would give cities unilateral power to lower speed limits on highways down to 20 MPH, without a traffic or engineering investigation to justify it. Backed by environmental groups, passed the House & identical bill passed Senate, but neither bill passed both. Failed to become law.

HB 898 (Stucky) - Mandate new criminal penalties & more than double the fine (to a minimum \$500 up to \$1,250) if fail to move over when passing police, fire, tow trucks, TxDOT and other road workers on the shoulder. On a second offense resulting in bodily harm, conviction would be state jail felony. There's no room for discretion, it's mandatory sentencing. Became law.

HB 1855 - Would double traffic tickets in any corridor TxDOT designates as a 'highway safety corridor.' Remember, "safety" is the code word to enact draconian penalties on drivers and devise ways to intentionally slow down cars. This type of designation could easily be abused to become punitive speed traps. Passed House Transportation Committee, but died on last calendar. Meanwhile, the Texas House voted to de-criminalize marijuana & sports gambling.

HB 71 (Canales) - To create digital IDs. No app on a phone will be secure for very long - data on phones is ultimately hackable. TxDOT / DMV have already proven they will violate our privacy by selling our data. The Chief Information Officer of Texas has been on record saying there are other government agencies that could benefit (meaning the Digital ID could be used to access other parts of our personal data. Digital ID can store personal data and a drivers license is required to be presented in many places (rent or buy home, utilities, accessing bar, etc.) Digital ID is not a path we want to go down - security is not the same as convenience. Digital ID is the central technology that could be used for businesses to discriminate if personal information becomes stored on Digital ID. Digital ID could also be weaponized by government to shut down your digital ID if you don't cooperate with their lockdowns, climate emergencies or fail to pay your taxes (or tolls). Passed House, but failed to become law.

HJR 27 (Craddick) - To create a GROW fund to dedicate a portion of the oil and gas tax to stay in West Texas to help maintain roads in the oil fields. While we recognize there's wear and tear causing greater damage to roads in this area, the legislature has given local counties special funding in the past to address these issues. We shouldn't amend the Texas Constitution to make these sorts of set asides permanent. When we go down

the road of carving out funds for just certain areas of the state, many parts of the state have excess wear and tear due to oil & gas exploration, but also heavy tractor trailers from trade, logging, and a host of other issues. Where would this end? Our State Highway Fund is designed to distribute gas taxes fairly in order to maintain the entire system. Passed House, stopped in Senate.

HJR 144 (Canales) - To set aside a portion of the State Highway Fund for port infrastructure, specifically mentions space ports (which means Elon Musk's, Space X. Musk does NOT need money from the state taxpayers). Raids road funds for specific areas of the state, which diminishes to funds available for the rest of the state.

HB 421 (Lopez) - To increase the penalty for passing a pedestrian or bicyclist. Mandates 3 or 6 foot buffer for a car or truck, respectively, to legally pass (lanes are usually only 10-12 feet wide). Impossible to comply without slowing all traffic to a speed of a bike or pedestrian. Makes it so unable to pass at all. Passed House, stopped in Senate.

HB 1379 (Ortega) - To expand the permissible projects of a Regional Mobility Authority (RMA) to greenspaces and economic development projects (that don't even involve roadways or mobility). Tolls revenues could then be diverted to fund transit, bike and pedestrian facilities as well as recreational facilities those same users may never use. Passed House Transportation Committee.

HJR 77 (Walle) - To expand use of general revenue currently constitutionally dedicated to the highway fund to non-road purposes like transit, bike paths, sidewalks, and even transit-oriented development. Received hearing in Canales' House Transportation Committee.

HB 992 (Lopez) - To increase Bexar County vehicle registration fees. In Bexar County, it's proposing another \$20 (it was already carved out for a \$10 increase in 2013). Now they want more, and this is after the city of San Antonio just passed a \$1.2 billion road bond (May 2022) that will raise city residents' taxes to add sidewalks and curbing, but only expand ONE road out of 62 'infrastructure' projects. Received hearing in Canales' House Transportation Committee.

HB 3165 (Holland) - To create land trusts that would enact Biden's 30x30 land grab. Passed House, stopped in Senate.

Good Bills:

HB 3297 (Harris, Cody) - to repeal most vehicle inspections (not required by federal law in non-attainment areas), Became law (takes effect 2025).

HB 2170 (Guerra) - Toll agencies must immediately notify drivers if problems with payment card. Became law.

HB 2977 (Harris, Caroline) - To keep ESG out of TxDOT contracts. Allowing TxDOT to award contracts based on actual costs and not ESG criteria, saves taxpayers money and avoids needless delays for desperately needed road construction. Put on House calendar too late to pass.

HB 4797 (Romero Jr.) - to require toll entities to get TxDOT training on weatherizing roads. Became law.

SB 1017 (Birdwell) - To protect our right to own & use a vehicle or any other machine with a fossil fuel powered engine. Keeps cities from banning gas powered engines. Became law.

SB 1860 (Hughes/Kolkhorst) - To require legislature's approval of a city's climate charter before it can be put before the voters for approval. Became law.

HB 33 (Landgraf) - Prohibits federal overreach into Texas oil & gas production. Blocks state agencies from enforcing federal regulations that aren't also in state law. Became law.

SB 175 (Middleton) - We wholeheartedly support the ban on taxpayer-funded lobbying, without amendments granting exceptions to schools or any other governmental entity that uses public money to lobby against taxpayers. Passed Senate but failed to go anywhere in House.

SB 505 (Nichols) - To impose a \$200 (renewal) or \$400 (new) registration fee on Electric Vehicles. Since EV users do not pay gasoline tax, EVs have been using Texas roads without paying for that road usage. This will require EVs to contribute to the State Highway Fund to ensure there continues to be sufficient funding for our state roads. Became law.

Additional Bills

These two bills passed and most voted for them so we did not include them in the grades...

Continued key transportation funding that will prevent the need for more toll roads:

HB 2230 (Canales) - Ensures revenue from oil and gas severance taxes (as approved by 80 percent of voters statewide in 2014) will continue. Extends Prop 1 funding from 2034 to 2042.

SCR 2 (Nichols) - Ensures that annual revenue from Prop 7 sales tax and vehicle sales tax provisions (approved by 83 percent of voters in 2015) will remain in place. Extends Prop 7 until 2039 (vehicle sales tax) and 2042 (sales tax).



TURF
Texans United for Reform & Freedom

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