

7. FACT SHEET

TRUCK TRAFFIC ASSOCIATED WITH NEW FACILITIES

CONCERN: Truck traffic increased by these facilities should be addressed by incorporating requirements for passing lanes and acceleration/deceleration lanes.

New or modified Aggregate Production Operations (APOs) accessing the state highway system must construct entrances and driveways according to TxDOT standards.

TCEQ does not have regulatory jurisdiction over truck traffic. Trucks are considered mobile sources, which are not regulated by the TCEQ. However, TCEQ rules prohibit anyone from causing a traffic hazard. Specifically, 30 TAC § 101.5 states, "No person shall discharge from any source whatsoever such quantities of air contaminants, uncombined water or other materials which cause or have a tendency to cause a traffic hazard or an interference with normal road use."

Jurisdiction over traffic on public roads, including any load-bearing restrictions and public safety, including access, speed limits and public roadway issues, are typically the responsibility of local, county or other state agencies, such as the Texas Department of Transportation and the Texas Department of Public Safety. Truck traffic increased by new or expanding APOs is regulated under TxDOT requirements, especially those concerning driveway access to state highways. In most cases, the access agreement is reviewed by the local TxDOT office where the new APO will exist. If, for example, a new turn lane or acceleration/deceleration lane is required, the APO is required to adhere to a "donation agreement," whereby it is responsible for construction of the road improvement according to TxDOT design requirements. The APO is responsible for paying for these road improvement costs, as well.

Nevertheless, on this issue and any other, TACA and its members believe in fostering productive and healthy community relations through constructive channels of dialogue that develop solutions to mitigate issues related to the production and transportation of aggregates, concrete, cement and related commodities.