

U.S. Department of Transportation

Office of the Secretary of Transportation

400 Seventh St., S.W. Washington, D.C. 20590

May 9, 2007

Honorable Kay Bailey Hutchison United States Senate Washington, DC 20590

Dear Senator Hutchison,

Following up on our call from last week, and as you are aware, the Texas Legislature has now passed HB 1892 and referred it to the Governor.

If the State of Texas interprets and implements the general assent provisions included in Texas state law and HB 1892 (i.e. Section 12, adding Transportation Code § 284.003(g)) such that the bill can be implemented in a manner consistent with Federal law, HB 1892 would not affect the State's eligibility for funding under the Federal-aid highway program.

FHWA remains committed to ensuring compliance with Federal requirements so that Texas may continue to receive its full allocation of Federal-aid highway funding.

Sincerely,

Mary E. Peters

Secretary of Transportation

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