

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE NORTH EAST TEXAS
REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 13-02

WHEREAS, the North East Texas Regional Mobility Authority (“NET RMA”) was created pursuant to the request of Gregg and Smith Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the “RMA Rules”); and

WHEREAS, the Board of Directors of the NET RMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, subsequent to the initial formation of the NET RMA the Counties of Cherokee, Rusk, Harrison, Upshur, Bowie, Panola, Wood, Cass, Van Zandt, and Titus joined the Authority and are represented on the Board of Directors; and

WHEREAS, the NET RMA is currently developing Segment 3B of the Toll 49 project (the “Toll 49 Segment 3B Project”) through a design/build comprehensive development agreement (“CDA”); and

WHEREAS, upon the completion of the Toll 49 Segment 3B Project, the NET RMA will be responsible for the operation of Segments 1, 2, 3A, 3B, and 5 of Toll 49 (collectively, “Toll 49”) and it will be necessary for the NET RMA to establish certain rules and regulations regarding use of Toll 49; and

WHEREAS, Section 38 of the *Bylaws of the North East Texas Regional Mobility Authority* (the “Bylaws”) provides that the Board shall, in accordance with all applicable trust agreements, Transportation Code, Chapter 370, the RMA Rules, or other law, establish toll rates and fees, designate speed limits, establish fines for toll violators, and adopt rules and regulations for the use and occupancy of turnpike projects; and

WHEREAS, NET RMA representatives have developed final recommendations concerning tolling policies for the NET RMA, including toll rates for Toll 49 (the “Tolling Policies”), and business rules (the “Business Rules”), copies of which are attached hereto as Attachment “A”.

NOW THEREFORE, BE IT RESOLVED, that the NET RMA Board of Directors approves of the adoption of the Tolling Policies and Business Rules attached hereto as Attachment “A”; and

BE IT FURTHER RESOLVED, that such Tolling Policies and Business Rules may be amended from time to time.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 22nd day of January, 2013.

Submitted and reviewed by:

Approved:



C. Brian Cassidy
General Counsel for the North East
Texas Regional Mobility Authority



Linda Ryan Thomas
Chair, Board of Directors
Resolution Number 13-02
Date Passed: 01/22/13