

TRANSPORTATION CODE

TITLE 6. ROADWAYS

SUBTITLE A. TEXAS DEPARTMENT OF TRANSPORTATION

CHAPTER 204. TRAVEL INFORMATION

Sec. 204.001. INFORMATION FOR PUBLIC; MAPS. (a) To provide information relating to highway construction, repair, and maintenance and to advertise and attract traffic to the highways of this state, the department may prepare and publish for distribution, in the manner and form the department considers best, documents the department considers necessary and expedient to publicize and provide information concerning:

- (1) the highways of this state;
- (2) public parks, recreational areas, scenic areas, and other public places and objects of interest;
- (3) distances;
- (4) historical facts; and
- (5) other matters of interest and value to the public and highway users.

(b) The department periodically may prepare a map showing:

- (1) the highways of this state; and
- (2) municipalities and other places of interest served by those highways.

(c) The department may distribute the documents and maps in the manner and to the extent the department considers will best serve the motoring public and highway users.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Sec. 204.002. CHARGE FOR MATERIALS. (a) The department shall provide a single copy of a document or map distributed under Section [204.001](#) without charge.

(b) The department by rule may:

- (1) require payment for large quantities of the material; and
- (2) authorize distribution without charge of multiple copies of the material if the distribution will maximize the

department's resources available to advertise the highways of this state and promote travel to and within this state.

(c) Payment required under Subsection (b)(1) must be in an amount sufficient to recover the department's direct and indirect production costs. Money received by the department under this section shall be deposited to the credit of the state highway fund and used by the department to produce travel material. Section [403.095](#), Government Code, does not apply to money deposited under this subsection.

(d) If this section conflicts with a license agreement entered into under Section [201.205](#), the license agreement prevails to the extent of that conflict.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Sec. 204.003. TRAVEL INFORMATION CENTERS. (a) The department shall maintain and operate travel information centers to provide highway information, travel guidance, and descriptive material designed to assist the traveling public and stimulate travel to and within this state.

(b) The department may:

(1) enter into an agreement with:

(A) another state agency for the operation of a travel information center; or

(B) a local government, including a commission created under Chapter [391](#), Local Government Code, for the operation of a travel information center that is located within the boundaries of the local government; and

(2) issue a request for proposals to private or nonprofit entities for the operation of a travel information center.

(c) The department may sell commercial advertising space at a travel information center if the advertising is not visible from the main traveled way of the highway. If the department sells commercial advertising space, the department shall set rates for the advertising and other services available at a travel information center at a level that generates receipts approximately

sufficient to cover the cost of its travel and information operations.

(d) The department may not engage in an activity authorized under Subsection (c) or another provision of this chapter that would decrease the amount of federal highway funding available to the department.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1185 (S.B. [1017](#)), Sec. 1, eff. June 14, 2013.

Sec. 204.004. PAYMENT OF COSTS. The department may pay from highway revenues the cost, including the administration and operation cost, of:

(1) developing, publishing, and distributing material; and

(2) maintaining and operating travel information centers.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Sec. 204.005. PURCHASE OF BROADCASTING AND PERIODICAL ADVERTISING. The department may purchase advertising space in a periodical of national circulation and time on a broadcasting facility from money appropriated from the general revenue fund and administered by the department for that specific purpose.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Sec. 204.006. CONTRACTS FOR ADVERTISING, MOVIES, AND PHOTOGRAPHS. (a) The department may enter into a contract with:

(1) a recognized and financially responsible advertising agency that has at least five years' experience handling similar accounts for the contracting of space in newspapers and periodicals for the publication of advertising information, historical facts, statistics, and pictures that will

be useful and informative to persons outside this state; and

(2) motion picture producers and other persons for making movies or taking photographs in this state and for the showing of those movies and photographs.

(b) The department may join with another agency of this state in publishing informational publicity material under this section.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Sec. 204.007. PRIVATE CONTRIBUTIONS. (a) The department may accept a contribution from a private source for a purpose under Sections 204.001-204.006.

(b) The department may deposit the contribution in one or more banks and use the contribution at its discretion according to the contributor's wishes.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Sec. 204.008. PRODUCTION, MARKETING, AND DISTRIBUTION CONTRACTS. (a) The department may contract with a private entity to produce, market, and distribute material published under Sections 204.001-204.006 on the terms, including terms providing cost savings, the department considers beneficial to this state.

(b) A contract may:

(1) include cooperative strategies the department considers to provide cost benefits; and

(2) provide for acceptance of paid advertising in the material if the quality and quantity of the material are maintained.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Sec. 204.009. SALE OF PROMOTIONAL ITEMS, ADVERTISING, AND ACKNOWLEDGMENTS. (a) The department may sell promotional items such as calendars, books, prints, caps, light clothing, or other items approved by the commission that advertise the resources of

this state.

(a-1) The department may enter into an agreement for the acknowledgment of donations if the acknowledgment does not contain comparative or qualitative descriptions of the donor's products, services, facilities, or companies.

(b) All proceeds from the sale of the items and advertising under this chapter and all donations acknowledged under this section shall be deposited to the credit of a separate account in the state highway fund. Money in the account is dedicated for the department's use in its travel and information operations.

(c) Section [403.095](#), Government Code, does not apply to money deposited under this section.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1185 (S.B. [1017](#)), Sec. 2, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1185 (S.B. [1017](#)), Sec. 3, eff. June 14, 2013.

Sec. 204.010. TRAVEL MAGAZINE. (a) The department shall publish the official travel magazine of this state, "Texas Highways."

(b) The department shall set subscription rates and other charges for the magazine at a level that generates receipts approximately sufficient to cover the cost of producing and distributing the magazine.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.

Sec. 204.011. SUBSCRIBER OR PURCHASER INFORMATION. (a) Except as provided by this section or a rule adopted by the commission under this section, the department may not disclose to any person the name, address, telephone number, social security account number, driver's license number, bank account number, credit or debit card number, or charge account number of a person who:

(1) is or has been a subscriber to "Texas Highways";
or

(2) has purchased from the department a promotional item described by Section 204.009.

(b) Chapter 552, Government Code, does not apply to subscriber or purchaser information described by Subsection (a).

(c) The commission by rule shall establish policies relating to:

(1) the release of subscriber or purchaser information;

(2) the use by the department of subscriber and purchaser information; and

(3) the sale of a mailing list containing the names and addresses of subscribers or purchasers.

(d) The policies must:

(1) include a method by which a subscriber or purchaser may require the department to exclude information about the person from a mailing list that is sold; and

(2) provide that subscriber or purchaser information be disclosed to an agency of this state or the United States only if that agency certifies that the information is necessary for the performance of that agency's duties.

(e) The department is immune from civil or criminal liability if the department unintentionally violates this section or a rule adopted under this section.

(f) In this section, a reference to the department includes an officer, employee, or agent of the department.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 16.001(a), eff. Sept. 1, 2003.