

Good morning - Here is an in-depth look at transportation issues.

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MODOT COMMENDED ON RECENT ACCOMPLISHMENTS WHILE DIRECTOR RAHN APPEARS BEFORE HOUSE TRANSPORTATION COMMITTEE: The House Transportation Committee held its first hearing on Jan. 30. MoDOT Director Pete Rahn presented to the committee members an overview of MoDOT's operations, recent accomplishments, future projects and future funding needs. Director Rahn provided many examples of MoDOT's efficiencies and innovation. Some of the highlights of the Director's presentation included:

MoDOT funding and where it goes; reporting that the majority of MoDOT funding comes from federal dollars and fuel taxes. Director Rahn emphasized to the committee that seventy eight percent of MoDOT revenues are spent on construction and maintenance and only two percent are spent on administration. Since the administration costs are so low, any further reduction of administration costs would not solve transportation problems in Missouri.

MoDOT accomplishments over the past year including:

- The installation of new emergency reference markers pointing out that the emergency reference markers helped considerably in responding to emergencies on the interstate during the recent snow storms.
- Installation of guard cable on I-70 and MoDOT's work to complete guard cable installation on I-44 and I-29.
- MoDOT being the first state agency to test new energy-saving diesel-electric bucket trucks.
- MoDOT's study of the possibility of adding Amtrak between St. Louis and Springfield.
- MoDOT's new 2007-2008 highway map produced twelve percent larger for the "baby Boomer" generation.

Update on the three design build projects:

- The first design build project is the reconstruction of I-64. Director Rahn reported that MoDOT chose the design build method for I-64 to reduce both the construction costs and the construction time.
- The second design build project selected by MoDOT is the kclCON project in Kansas City where I-29 and I-35 will be improved along with adding capacity to the Paseo Bridge. Director Rahn reported that with Senator Kit Bond's help, \$50 million dollars has been earmarked by the federal government towards the design of the bridge.
- The third design build project is the Safe & Sound Bridge Plan. Director Rahn reported that the current condition of Missouri's major bridges need to be addressed in the very near future and that the Safe & Sound Bridge Plan is a feasible solution towards improving many bridges. The next question is whether the solution is affordable and that determination is expected to be made in June 2007.

The Better Roads Brighter Future program which will provide improvements to the next twenty percent of roads with the most vehicle miles traveled. The improvements will extend the standard developed by the Smooth Roads Initiative.

A plea to the committee to support the passage of a primary seat belt law. This is definitely not the first time Director Rahn has spoken in front of a committee on the need to pass a primary seat

belt law in Missouri. Director Rahn advised the committee that Missouri already has a seat belt law but that it is the only traffic law of over 500 traffic laws where enforcement is discouraged.

Transportation needs are going to be critical in the future with revenues expected to drop from a budget of \$1.4 billion in 2007 to a budget of less than \$600 million in 2010. Rahn said the state must invest in transportation if we are going to be able to compete in a global economy and our children and grandchildren can work and live in Missouri. Missouri needs to address whether we are going to work to hold the same progress as seen with the passage of Amendment 3.

MODOT DIRECTOR APPEARS BEFORE HOUSE APPROPRIATIONS COMMITTEE: On Jan. 30, MoDOT Director Pete Rahn appeared before the House Transportation Appropriations Committee to provide the committee with an overview of MoDOT's operations and where the department is headed for the next year. Director Rahn's presentation was much like his previous testimony presented to the House Transportation Committee earlier that same day (see above article).

Chairman of the committee, Rep. Charlie Schlottach (R-Owensville), reported to the committee members that this committee has been charged by the Speaker of the House to not necessarily get into "micro-managing" MoDOT's budget, but to look into ways to provide additional revenues to transportation. Rep. Schlottach told the committee members they should be expecting to meet more often during the legislative session and periodically during the summer interim months.

MODOT DIRECTOR MAKES PLEA TO THE HOUSE TRANSPORTATION COMMITTEE TO SUPPORT PASSAGE OF A PRIMARY SEAT BELT LAW: During his Jan. 30 presentation before the House Transportation Committee, Director Rahn pled with committee members to support the passage of a primary seat belt law this session. Director Rahn explained that although Missouri already has a seat belt law, it is the only traffic law out of over 500 traffic laws where enforcement is discouraged. Under Missouri's current law, a law enforcement officer can pull a driver over if their vehicle license plate is dirty or is about to fall off the vehicle or if a tail light is burned out or cracked. However, law enforcement cannot pull a person over for not wearing a seat belt. Director Rahn said, "This is a shame" because we lose ninety lives a year from not wearing a seat belt. Director Rahn reported that it is senseless to die from not wearing a seat belt. Only a primary seat belt law can increase seat belt usage and save lives in this state

SALES TAX EXEMPTION ON CONSTRUCTION MATERIALS HAS FIRST HEARING: The Senate Ways and Means Committee heard testimony on SB 199, sponsored by Sen. Bill Stouffer (R-Napton) and SB 207, sponsored by Sen. Chuck Gross (R-St. Charles); both bills deal with the exemption of sales tax on construction materials purchased for work on MoDOT projects. Persons testifying for the bill stated the legislation was needed to place Missouri contractors on an equal playing field with out-of-state contractors where most of Missouri's bordering states offer the sales tax exemptions. Theatrically this concept could save MoDOT dollars because of lower bids and those cost-savings could put more money towards improving the state's highways.

Those testifying in support of the bills included, Rodney Gray, Heavy Constructors Association of Greater Kansas City; Jack Atterberry, AGC of Missouri; Trisha Workman, AGC-St. Louis; Trey Davis, Missouri Chamber of Commerce and Industry; Ray McCarty, Associated Industries of Missouri; and Lisa LeMaster, MoDOT Governmental Relations.

No one testified in opposition. No action was taken on the two bills.

SENATE TRANSPORTATION COMMITTEE ADVANCES PROPOSALS: On Jan. 31, the Senate Transportation Committee advanced with the passage of several bills that will now go to the full Senate floor for debate. Some of the proposals voted out of committee were:

- SB 51 - increases the maximum length for commercial vehicle "driveaway saddlemount" combinations from 75 feet to 97 feet;

- SB 232 - designates a portion of Missouri Route 74/34 within Cape Girardeau County as the "John Oliver Jr. Parkway;" and
- SB 52 - would allow the Missouri Highways and Transportation Commission the authority to accept an annual bid bond for state highway construction and maintenance projects. The commission shall prescribe the form and content of an annual bid bond pursuant to the procedures set forth in the Missouri standard specifications for highway construction. MoDOT supports this bill.

LICENSE PLATE TABS TO BE REISSUED: SB 384, sponsored by Sen. Maida Coleman (D-St. Louis), modifies the stolen license plate tabs procedure for obtaining free tabs from the Department of Revenue. Under current law, a person replacing stolen license plate tabs may receive two sets of two license plate tabs for free if the person submits a police report with the application. This act would modify the procedure by requiring any person replacing stolen license plate tabs issued prior to Jan. 1, 2009, to submit a notarized affidavit to that effect. For persons replacing stolen license plate tabs issued on or after Jan. 1, 2009, the person will have to submit a police report with his or her application.

Persons testifying for the bill because it could provide law enforcement agencies with the tool necessary to reduce stolen tabs and ensure persons register their automobiles with the Missouri Department of Revenue were: Capt. Madigar, City of St. Louis Police Department; Capt. Bret Johnson, Missouri State Highway Patrol; Trish Vincent, Director of the Department of Revenue; and Rodney Boyd, City of St. Louis.

There was no opposition to the bill. On that same day the committee voted the bill "Do Pass" by a vote of 9 to 0. The bill now goes to the full Senate for floor debate.

CLEAN-UP LEGISLATION HEARD IN COMMITTEE: On Jan. 31, the Senate Transportation Committee heard testimony relating to legislation that would codify an executive order that moved the Division of Highway Safety from the Department of Public Safety to the Missouri Highways and Transportation Commission (MHTC).

SB 104, sponsored by Sen. Bill Stouffer (R-Napton), changes several references to the Division of Highway Safety to the state highways and transportation commission. In 2003, Governor Holder transferred the powers and duties of the Division of Highway Safety under the Department of Public Safety to MoDOT. References to the Division of Highway Safety or the Department of Public Safety as it pertains to highway safety functions need to be changed to accurately reference the MHTC.

The act specifically provides that the commission shall have the responsibility and authority for the administration of: (1) All state highway safety programs; (2) the annual preparation of the Missouri Highway Safety Plan and the receipt of federal highway safety funds; (3) regulations relating to approval of driver-improvement, motorcycle safety and ignition interlock programs; (4) compliance with any federal laws or rules required as a condition precedent to secure federal highway safety funds; and (5) contracts, licenses and authorizations issued by the Division of Highway Safety prior to Aug. 28, 2003. The act expands membership of the Motorcycle Safety Program Advisory Committee from seven to eight members to create a place for a MoDOT representative.

Testifying for the bill was Dr. Leanna Depue, MoDOT's director of Highway Safety. Dr. Depue stated this legislation was necessary to change statutory references from the Department of Highway Safety to the Missouri Highways and Transportation Commission as a result of the 2003 executive order.

There was no opposition to the bill and the committee took no further action.

SB 104 is a priority for the MHTC during the 2007 session.

FEDERAL MANDATE BILL ADVANCES IN COMMITTEE: On Jan. 31, the Senate Transportation Committee heard testimony on SB 130. The bill, sponsored by Sen. Bill Stouffer (R-Napton), will allow the Missouri Highways and Transportation Commission (MHTC) the authority to void billboard permits without paying compensation under certain circumstances. These circumstances include: (1) when there has been any misrepresentation of a material fact by the applicant on a permit application and the sign is removed under law; (2) when the commission determines that a change has been made to a conforming sign by the sign owner and the sign has been removed under law; or (3) when the commission determines that a substantial change has been made to a nonconforming sign by the sign owner such that the sign's nonconforming status was terminated and the sign was removed under the commission's administrative rules for maintenance of nonconforming signs. The commission may also void any permit when the commission determines that such permit has been erroneously issued by Department of Transportation staff in violation of any state law or administrative rule. The billboard shall be subject to removal and compensation shall be paid pursuant to law.

Testifying in support of the bill was Joyce Musick, MoDOT's Outdoor Advertising Manager, who stated this bill must be passed this legislative session to avoid potential federal sanctions because the department doesn't currently have authority to void outdoor permits once issued.

Bill May, Missouri Outdoor Advertising Association, also testified in favor of the bill. Rand Richardson, Federal Highway Administration, testified for information purposes by stating if this issues isn't addressed by the legislature this session chances are the state will be penalized from receiving a portion of its federal highway dollars.

There was no opposition to the bill and the committee took no action on the proposal.

This bill is one of the MHTC's legislative priorities for the 2007 session.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT: On Jan. 31, the Joint Committee on Public Employee Retirement held an educational meeting. The meeting started with the nomination and election of a new committee chair and committee vice chair. The joint committee elected Sen. Jason Crowell (R-Cape Girardeau) as the chair and Rep. Ward Franz (R-West Plains) as the vice chair. Also, Ms. Jennifer Bass was introduced to the committee as the new Joint Committee on Public Employment Retirement Executive Director. Ms. Bass gave a very brief overview of her duties and contact information.

The remainder of the time at the hearing was used to give each public employee retirement system the opportunity to present a brief summary of their operation. Those presenting testimony before the joint committee included: Norm Robinson, Missouri Department of Transportation and Highway Patrol Employees' Retirement System; Gary Findlay, Missouri State Employees' Retirement System; Steve Yoakum, Public School & Education Employee Retirement System; and Bill Schwartz, Missouri Local Government Employees Retirement System.

MEMBERS APPOINTED TO JOINT TRANSPORTATION COMMITTEE: Leaders in the House and Senate have recently appointed the following members to the Joint Committee on Transportation Oversight:

Co-chairs are Sen. Bill Stouffer (R-Napton) and Rep. St. Onge (R-Ellisville); Senators Matt Bartle (R-Lee's Summit); John Griesheimer (R-Washington); Delbert Scott (R-Lowry City); Frank Barnitz (D-Lake Spring); Joan Bray (D-St. Louis); and Rita Days (D-St. Louis). Representatives include: Charlie Denison (R-Springfield), Sally Faith (R-St. Louis) and Charlie Schlottach (R-Owensville). Four Democrat members from the House have not yet been named to serve on the committee.

The Joint Committee on Transportation Oversight approves specialty licenses plate requests, highway namings and listens to MoDOT's annual accountability report presentation as required by law. The committee is required to meet at least three times each year.

FULL FEDERAL FUNDING FOR FY07 TRANSPORTATION PROGRAM IS MOVING IN CONGRESS: The U.S. House and Senate Appropriations Committees have agreed to fully fund the FY '07 Transportation programs at the levels established in SAFETEA-LU. This proposal is expected to be included in an Omnibus/Continuing Resolution that is under consideration in the House this week and is expected to be taken up by the Senate the week of Feb. 5.

The current Continuing Resolution expires on Feb. 15th. The proposed Omnibus funding bill reduces some federal programs but fully funds transportation for FY '07. This bill will fund the FY '07 federal highway program at \$39.1 billion, as established in SAFETEA-LU. The bill is a closed bill (one that does not allow any amendments) and will not include earmarked projects.

It is very encouraging that Congress recognizes the importance of the nation's transportation needs. MoDOT hopes Congress moves forward with final passage and the bill is signed by the President.

A fully funded FY '07 federal transportation bill does not provide additional money to Missouri. It simply reinstates the projected funding levels MoDOT uses in developing the STIP.

UPCOMING TRANSPORTATION EVENTS:

- February 7 - Director Rahn's State of Transportation Address
- February 15- Annual Transportation Conference
- March 15 to March 26 - Legislative Spring Break
- May 18 - Last day of the 2007 legislative session