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ARTICLE 20 AS AMENDED

RELATING TO EAST BAY BRIDGE SYSTEM

SECTION 1. Title 24 of the General Laws entitled “HIGHWAYS” is hereby amended by adding thereto the following chapter:

CHAPTER 24-17

EAST BAY BRIDGE SYSTEM ACT OF 2012

24-17-1. Short Title. -- This chapter shall be known and may be cited as the “East Bay Bridge System Act of 2012”.

24-17-2. Legislative findings. -- The general assembly finds that:

(1) The State of Rhode Island, through the Rhode Island Department of Transportation (“RIDOT”), funds the repair, replacement, and maintenance of bridges in Rhode Island, except the Newport Bridge and the Mount Hope Bridge.

(2) Rhode Island depends on three primary sources for funding all transportation infrastructure construction, maintenance, and operations. These sources are Federal funds, State bond funds, and motor fuel tax revenue. Of these sources, two (Federal funds and motor fuel tax revenue) are mutable.

(3) The 2008 Governor’s Blue Ribbon Panel on Transportation Funding and the 2011 Senate Special Commission on Sustainable Transportation funding determined that there is insufficient revenue available from all existing sources to fund the maintenance and improvement of Rhode Island transportation infrastructure.

(4) In 2011, the Rhode Island general assembly adopted a component of the recommended systemic change to transportation funding by creating the Rhode Island Highway Maintenance Trust Fund, to be funded by an increase in license and registration fees and contributions from the Rhode Island Capital Plan (RICAP) fund, beginning in FY2014.

(5) Although the State is shifting from long-term borrowing to annual revenues to fund transportation infrastructure, there is still a funding gap between the revenue needed to maintain all roads and bridges in good condition and the annual amounts generated by current revenue sources.

(6) The State has sufficient financial resources to complete the construction of the new Sakonnet River Bridge and to demolish the existing Sakonnet River Bridge, but does not have

1 sufficient financial resources to assure the future maintenance and operation of the Sakonnet
2 River Bridge.

3 (7) There is limited access to and from Rhode Island’s East Bay, consisting of Bristol and
4 Newport Counties, and this access is restricted both by geography and infrastructure. The most
5 critical infrastructure includes the four bridges that comprise the access to Aquidneck Island and
6 Conanicut Island. These four bridges make up less than half a percent of the total bridges in the
7 state, but comprise approximately twenty percent of the deck area of all Rhode Island bridges.

8 (8) Two of the four bridges, the Sakonnet River Bridge and the Jamestown Verrazzano
9 Bridge, are owned and maintained by RIDOT. The Rhode Island Turnpike and Bridge Authority
10 (“RITBA”) currently owns and maintains the other two bridges: the Newport Bridge and the
11 Mount Hope Bridge.

12 (9) In the current economic and political climate, cooperation between State departments
13 and/or quasi-public agencies provides the best opportunity to maximize financial and knowledge-
14 based resources.

15 (10) RITBA currently assesses a toll for passage over the Newport Bridge, and this toll
16 serves as the sole source of revenue for RITBA to maintain both the Newport Bridge and the
17 Mount Hope Bridge and related appurtenances.

18 (11) The Federal Highway Administration allows for the placement of tolls on certain
19 transportation infrastructure in order to assure the improvement and proper operation and
20 maintenance of the structure and associated roadways.

21 (12) The current toll structure places undue burden on the residents, businesses, and
22 visitors who must use the Newport Bridge to access work, schools, shopping, and other essential
23 services. It is crucial to establish a comprehensive strategy to fund and maintain the bridges
24 connecting the East Bay.

25 (13) The transfer of the Sakonnet River Bridge and its appurtenances and the Jamestown
26 Verrazzano Bridge and its appurtenances to the Rhode Island Turnpike and Bridge Authority
27 would be in the best interests of the State of Rhode Island and its residents, particularly those
28 living and working in the East Bay.

29 (14) The placement of a toll on the Sakonnet River Bridge, under the direction of RITBA,
30 would serve to create a more viable means of funding future maintenance and repairs of the East
31 Bay bridges and would allow for the establishment of a more equitable toll structure, along with a
32 fund for capital transportation projects and preventive maintenance in the East Bay.

33 **24-17-3. East Bay Infrastructure fund established. -- (a) There is hereby created a**
34 **special account in the general fund to be known as the East Bay Infrastructure (EBI) fund.**

1 **(b) The fund shall consist of all those moneys which the Rhode Island Turnpike and**
2 **Bridge Authority may and the state may, from time to time, direct to the fund, including, but not**
3 **necessarily limited to, funds in excess of those required to (i) pay debt service payments, (ii)**
4 **operate and maintain the bridges; and (iii) maintain required or adequate reserves.**

5 **(c) All funds collected pursuant to this section shall be deposited in the EBI fund and**
6 **shall be used only in Bristol and Newport Counties, and only for the purposes set forth in this**
7 **chapter.**

8 **(d) Unexpended balances and any earnings thereon shall not revert to the general fund but**
9 **shall remain in the EBI fund. There shall be no requirement that moneys received into the EBI**
10 **fund during any given calendar year or fiscal year be expended during the same calendar year or**
11 **fiscal year.**

12 **(e) The EBI fund shall be administered by the director, who shall allocate and spend**
13 **moneys from the fund only in accordance with the purposes and procedures set forth in this**
14 **chapter.**

15 SECTION 2. Section 24-8-28 of the General Laws in Chapter 24-8 entitled
16 “Construction and Maintenance of State Roads” is hereby repealed.

17 ~~**§ 24-8-28 Sakonnet River stone bridge.** The department of transportation shall have~~
18 ~~full charge and control of the operation and maintenance of the Rhode Island stone bridge across~~
19 ~~Sakonnet River connecting the island of Rhode Island with the mainland, and the bridge is hereby~~
20 ~~made a part of the state highway system. The department shall appoint the attendants and other~~
21 ~~employees as may be required for the care and operation of the bridge, and in all matters of the~~
22 ~~care, operation, and maintenance of the bridge the department shall exercise full authority. All~~
23 ~~appropriations for the care, maintenance, and repair of the bridge shall be expended under the~~
24 ~~direction of the department.~~

25 SECTION 3. Sections 24-12-1, 24-12-5, 24-12-9, 24-12-18, 24-12-26, 24-12-28, 24-12-
26 39 and 24-12-50 of the General Laws in Chapter 24-12 entitled “Rhode Island Bridge and
27 Turnpike Authority” are hereby amended to read as follows:

28 **24-12-1. Definitions.** -- As used in this chapter, the following words and terms shall
29 have the following meanings, unless the context shall indicate another or different meaning:

30 (1) "Additional facility" means any bridge, ~~(excluding the Sakonnet River Bridge),~~
31 ~~approach or~~ feeder road, highway, road, freeway, tunnel, overpass, ~~or~~ underpass, parking facility
32 or toll facility, in the state, equipment or signal and information system, which the authority is
33 authorized by this chapter or any other law to construct, reconstruct, renovate, acquire, maintain,
34 repair, operate, or manage after May 3, 1954 or any portion thereof.

1 (2) "Annual period" means the one-year fiscal period of the state commencing on the first
2 day of July of any year and ending the last day of June of the following year.

3 (3) "Authority" means the Rhode Island turnpike and bridge authority created by § 24-12-
4 2, or, if the authority shall be abolished, the board, body, or commission succeeding to the
5 principal functions thereof or upon whom the powers given by the chapter to the authority shall
6 be given by law.

7 (4) "Cost" as applied to any project to be constructed, reconstructed, renovated,
8 maintained, acquired, leased, repaired, operated or managed by the authority shall embrace the
9 cost of construction, reconstruction, renovation, maintenance, repair, operation or management,
10 the cost of the acquisition of all land, rights-of-way, property, rights, easements, and interests
11 acquired by the authority for the construction, reconstruction, renovation, maintenance, repair,
12 operation or management, the cost of demolishing or removing any buildings or structures on
13 land so acquired, including the cost of acquiring any lands to which the buildings or structures
14 may be moved, the cost of all machinery and equipment, financing charges, interest prior to and
15 during construction, reconstruction, renovation, maintenance, repair, operation or management,
16 and for one year after completion of construction, reconstruction, renovation, maintenance, repair,
17 operation or management, cost of traffic estimates and of engineering and legal services, plans,
18 specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to
19 determining the feasibility or practicability of construction, reconstruction, renovation,
20 maintenance, repair, operation or management, administrative expenses, and such other expenses
21 as may be necessary or incident to the construction, reconstruction, renovation, maintenance,
22 repair, operation or management, the financing of the construction, and the placing of the project
23 in operation, and in connection with the Newport Bridge shall include the purchase price of the
24 ferry franchise. The word "cost" as applied to any project which the authority may be authorized
25 to acquire means the amount of the purchase price, lease payments, debt service payments, or the
26 amount of any condemnation award in connection with the acquisition of the project, and shall
27 include the cost of acquiring all the capital stock of the corporation owning the project, if such be
28 the case, and the amount to be paid to discharge all of the obligations of the corporation in order
29 to vest title to the project in the authority, the cost of improvements to the project which may be
30 determined by the authority to be necessary prior to the financing thereof, interest during the
31 period of construction of the improvements and for one year thereafter, the cost of all lands,
32 properties, rights, easements, franchises, and permits acquired, the cost of engineering and legal
33 services, plans, specifications, surveys, estimates of cost and of revenues, other expenses
34 necessary or incident to determining the feasibility or practicability of the acquisition or

1 improvement, administrative expenses, and such other expenses as may be necessary or incident
2 to the financing of the acquisition or improvement and the placing of the project in operation by
3 the authority.

4 (ii) "Cost" as applied to the Mount Hope Bridge means such amount, if any, as the
5 authority may deem necessary, following the acquisition of a bridge under the provisions of § 24-
6 12-40A, to place the bridge in safe and efficient condition for its operation. And as applied to any
7 project constructed or acquired by the authority under the provisions of the chapter, the word
8 "cost" shall also include such amounts as the authority may deem necessary for working capital
9 and to create a debt service reserve ~~for interest~~.

10 (iii) "Cost" as applied to the Sakonnet River Bridge includes such amount, if any, as the
11 authority may deem necessary, following the acquisition of the Sakonnet River Bridge under the
12 provisions of subsection 24-12-40F, to place the bridge in safe and efficient condition for its
13 operation. As applied to any project constructed or acquired by the authority under the provisions
14 of the chapter, the word "cost" shall also include such amounts as the authority may deem
15 necessary for capitalized interest, working capital and to create a debt service reserve.

16 (iv) "Cost" as applied to the Jamestown Verrazzano Bridge includes such amount, if any,
17 as the authority may deem necessary, following the acquisition of the Jamestown Verrazzano
18 Bridge under the provisions of subsection 24-12-40G, to place the bridge in safe and efficient
19 condition for its operation. As applied to any project constructed or acquired by the authority
20 under the provisions of the chapter, the word "cost" shall also include such amounts as the
21 authority may deem necessary for capitalized interest, working capital and to create a debt service
22 reserve.

23 (5) "Department" means the department of transportation, or, if the department shall be
24 abolished, the board, body, or commission succeeding to the principal functions thereof or upon
25 whom the powers given by chapter 5 of title 37 to the department shall be given by law.

26 (6) "Ferry franchise" means the existing franchises and rights to operate ferries belonging
27 to the Jamestown and Newport ferry company, but not including any other intangible personal
28 property or real estate or tangible personal property of the corporation which shall remain the
29 property of the corporation.

30 (7) "Jamestown Bridge" means the ~~existing~~ former bridge over the west passage of
31 Narragansett Bay between the towns of Jamestown and North Kingstown constructed by the
32 Jamestown Bridge commission under the provisions of chapter 2536 of the Public Laws, 1937
33 and the approaches thereto, and shall embrace all tollhouses, administration, and other buildings
34 and structures used in connection therewith, together with all property, rights, easements, and

1 interests acquired by the Jamestown Bridge commission in connection with the construction and
2 operation of the bridge.

3 (8) "Jamestown Verrazzano Bridge" means ~~any~~ the bridge constructed in replacement of
4 the Jamestown Bridge, as defined in subdivision (7) and the approaches thereto, and shall
5 embrace all tollhouses, administration, and other buildings and structures used in connection
6 therewith, together with all property, rights, easements, and interests acquired by the authority in
7 connection with the construction and operation of such bridge.

8 (9) "Mount Hope Bridge" means the existing bridge between the towns of Bristol and
9 Portsmouth and the approaches thereto, which was constructed by the Mount Hope Bridge
10 corporation and which was acquired and is now owned and operated by the Mount Hope Bridge
11 authority under the provisions of chapter 13 of this title, and shall embrace all tollhouses,
12 administration, and other buildings and structures used in connection therewith, together with all
13 property, rights, easements, and interests acquired by the Mount Hope Bridge corporation or the
14 Mount Hope Bridge authority in connection with the construction and operation of the bridge.

15 (10) "Newport Bridge" means the bridge or tunnel or combination of bridge and tunnel
16 constructed or to be constructed under the provisions of this chapter over or under the waters of
17 Narragansett Bay between Conanicut Island and ~~the island of Rhode~~ Aquidneck Island, shall
18 embrace the substructure and the superstructure thereof and the approaches thereto and the
19 entrance plazas, interchanges, overpasses, underpasses, tollhouses, administration, storage, and
20 other buildings, and highways connecting the bridge or tunnel with the Jamestown Verrazzano
21 Bridge (defined in subdivision (7) ~~8~~) and with state highways as the authority may determine to
22 construct from time to time in connection therewith, together with all property, rights, easements,
23 and interests acquired by the authority for the construction and operation of the bridge or tunnel
24 or combination of bridge and tunnel.

25 (11) "Owner" means and include all individuals, incorporated companies, partnerships,
26 societies, or associations, and also municipalities, political subdivisions, and all public agencies
27 and instrumentalities, having any title or interest in any property, rights, easements, or franchises
28 authorized to be acquired under the provisions of this chapter.

29 (12) "Project" means the "Newport Bridge," "Mount Hope Bridge," "Sakonnet River
30 Bridge," "Jamestown Verrazzano Bridge", the "turnpike" or any "additional facility," as the case
31 may be, or any portion thereof which may be financed, acquired or leased under the provisions of
32 this chapter.

33 (13) "Turnpike" means the controlled access highway or any portion thereof to be
34 constructed or acquired, from time to time, under the provisions of this chapter from a point at or

1 near the Connecticut-Rhode Island border through the county of Washington and the county of
2 Newport to a point at or near the Massachusetts-Rhode Island border in the town of Tiverton
3 (excluding the Jamestown [Verrazzano](#) Bridge, the Mount Hope Bridge, the Newport Bridge, and
4 the Sakonnet River Bridge), together with all bridges (except those mentioned above),
5 overpasses, underpasses, interchanges, entrance plazas, approaches, approach roads, tollhouses,
6 service stations, and administration, storage, and other buildings and facilities which the authority
7 may deem necessary for the operation of the turnpike, together with all property, rights,
8 easements, and interests which may be acquired by the authority for the construction or the
9 operation of the turnpike.

10 [\(14\) "Sakonnet River Bridge" means the replacement Sakonnet River bridge constructed](#)
11 [or to be constructed under the provisions of Article 36 of Chapter 376 of the Public Laws of 2003](#)
12 [between the towns of Tiverton and Portsmouth and shall embrace the substructure and the](#)
13 [superstructure thereof and the approaches thereto and the toll structures, interchanges, overpasses,](#)
14 [underpasses, tollhouses, administration, storage, and other buildings, and highways connecting](#)
15 [the bridge with state highways, as the authority may determine to construct or acquire from time](#)
16 [to time in connection therewith, together with all property, rights, easements, and interests](#)
17 [acquired by the authority for the construction and operation of the bridge.](#)

18 **24-12-5. Power to construct, reconstruct, renovate, acquire, maintain, repair,**
19 **operate or manage projects or additional facilities and to issue bonds. --** In order to facilitate
20 vehicular traffic, remove many of the present handicaps and hazards on the congested highways
21 in the state, alleviate the barriers caused by large bodies of water, and promote the agricultural
22 and industrial development of the state, the Rhode Island turnpike and bridge authority is hereby
23 authorized and empowered: to construct the Newport Bridge, the turnpike, any portion thereof or
24 any additional facility hereafter authorized to be constructed; to acquire the Mount Hope Bridge,
25 [to acquire the Sakonnet River Bridge, to acquire the Jamestown Verrazzano Bridge](#) and any
26 additional facility hereafter authorized to be acquired (~~except the Sakonnet River Bridge~~); to
27 maintain, construct, reconstruct, renovate, acquire, repair, operate or manage any project or
28 projects; and to issue bonds of the authority as provided in this chapter to finance any project or
29 projects; provided, however, that the Mount Hope Bridge shall only be acquired as provided for
30 by § 24-12-40A.

31 **24-12-9. Powers of authority. --** (a) The authority is hereby authorized and empowered:
32 (1) To adopt bylaws for the regulation of its affairs and the conduct of its business;
33 (2) To adopt an official seal and alter it at pleasure;
34 (3) To maintain an office at such place or places within the state as it may designate;

1 (4) To sue and be sued in its own name, plead and be impleaded; provided, however, that
2 any and all actions at law or in equity against the authority shall be brought only in the county in
3 which the principal office of the authority shall be located;

4 (5) To determine, subject to the approval of the director of transportation, the location
5 and the design standards of the Newport Bridge, the turnpike and any additional [new](#) facility to be
6 constructed;

7 (6) To issue bonds of the authority for any of its purposes and to refund its bonds, all as
8 provided in this chapter;

9 (7) To combine for financing purposes the Newport Bridge, the Mount Hope Bridge, [the](#)
10 [Sakonnet River Bridge, the Jamestown Verrazzano Bridge,](#) the turnpike and any additional
11 facility or facilities, or any two (2) or more of such projects;

12 (8) To borrow money in anticipation of the issuance of bonds for any of its purposes and
13 to issue notes, certificates, or other evidences of borrowing in form as may be authorized by
14 resolution of the authority, the notes, certificates, or other evidence of borrowing to be payable in
15 the first instance from the proceeds of any bonds issued under the provisions of this chapter and
16 to contain on their face a statement to the effect that neither the state, the authority nor any
17 municipality or other political subdivision of the state shall be obligated to pay the same or the
18 interest thereon except from the proceeds of bonds in anticipation of the issuance of which the
19 notes, certificates, or other evidences of borrowing shall have been issued, or from revenues;

20 (9) To fix and revise from time to time, subject to the provisions of this chapter, and to
21 charge and collect tolls for transit over the turnpike and the several parts or sections thereof, and
22 for the use of the Newport Bridge, the Mount Hope Bridge, [the Sakonnet River Bridge, the](#)
23 [Jamestown Verrazzano Bridge](#) and any additional facility [acquired,](#) financed [or leased](#) under the
24 provisions of this chapter;

25 (10) To acquire, lease, hold and dispose of real and personal property in the exercise of
26 its powers and the performance of its duties;

27 (11) To acquire in the name of the authority by purchase or otherwise, on such terms and
28 conditions and in such manner as it may deem proper, or by the exercise of the rights of
29 condemnation in the manner as provided by this chapter, public or private lands, including public
30 parks, playgrounds, or reservations, or parts thereof or rights therein, rights-of-way, property,
31 rights, easements and interests as it may deem necessary for carrying out the provisions of this
32 chapter; provided, however, that all public property damaged in carrying out the powers granted
33 by this chapter shall be restored or repaired and placed in its original condition as nearly as
34 practicable;

1 (12) To designate the locations, with the approval of the director of transportation, and
2 establish, limit and control the points of ingress to and egress from the turnpike and any
3 additional facility as may be necessary or desirable in the judgment of the authority to insure the
4 proper operation and maintenance thereof, and to prohibit entrance to and exit from any point or
5 points not so designated;

6 (13) To employ, in its discretion, consulting engineers, attorneys, accountants,
7 construction and financial experts, superintendents, managers, and such other employees and
8 agents as may be necessary in its judgment, and to fix their compensation;

9 (14) To apply for, receive and accept from any federal agency aid and/or grants for or in
10 aid of the repair, maintenance and/or construction of the turnpike, the Newport Bridge, the
11 Sakonnet River Bridge, the Mount Hope Bridge, the Jamestown Verrazzano Bridge or any
12 additional facility, and to receive and accept from the state, from any municipality, or other
13 political subdivision thereof and from any other source aid or contributions of either money,
14 property, labor or other things of value, to be held, used and applied only for the purposes for
15 which the grants and contributions may be made;

16 (15) To construct grade separations at intersections of the turnpike, the approaches and
17 highway connections of the Newport Bridge, the Sakonnet River Bridge, the Mount Hope Bridge,
18 the Jamestown Verrazzano Bridge and any additional facility with public highways, streets, or
19 other public ways or places, and to change and adjust the lines and grades thereof so as to
20 accommodate the same to the design of the grade separation; the cost of the grade separations and
21 any damage incurred in changing and adjusting the lines and grades of the highways, streets,
22 ways, and places shall be ascertained and paid by the authority as a part of the cost of the project;

23 (16) To vacate or change the location of any portion of any public highway, street, or
24 other public way or place, sewer, pipe, main, conduit, cable, wire, tower, pole, and other
25 equipment and appliance of the state or of any municipality or other political subdivision of the
26 state and to reconstruct the same at such new location as the authority shall deem most favorable
27 for the project and of substantially the same type and in as good condition as the original
28 highway, street, way, place, sewer, pipe, main, conduit, cable, wire, tower, pole, equipment, or
29 appliance, and the cost of the reconstruction and any damage incurred in vacating or changing the
30 location thereof shall be ascertained and paid by the authority as a part of the cost of the project;
31 any public highway, street or other public way or place vacated or relocated by the authority shall
32 be vacated or relocated in the manner provided by law for the vacation or relocation of public
33 roads, and any damages awarded on account thereof shall be paid by the authority as a part of the
34 cost of the project;

1 (17) The authority shall also have the power to make reasonable regulations, subject to
2 the approval of the public utility administrator, for the installation, construction, maintenance,
3 repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers,
4 poles, and other equipment and appliances (herein called "public utility facilities") of any public
5 utility as defined in § 39-1-2, in, on, along, over or under any project. Whenever the authority
6 shall determine that it is necessary that any public facilities which now are, or hereafter may be,
7 located in, on, along, over, or under any project should be relocated in the project, or should be
8 removed from the project, the public utility owning or operating the facilities shall relocate or
9 remove the facilities in accordance with the order of the authority; provided, however, that the
10 cost and expenses of the relocation or removal, including the cost of installing the facilities in a
11 new location, or new locations, and the cost of any lands, or any rights or interests in lands, and
12 any other rights acquired to accomplish the relocation or removal, less the cost of any lands or
13 any rights or interests in lands of any other rights of the public utility paid to the public utility in
14 connection with the relocation or removal of the property, shall be ascertained and paid by the
15 authority as a part of the cost of the project. In case of any relocation or removal of facilities the
16 public utility owning or operating the facilities, its successors or assigns, may maintain and
17 operate the facilities, with the necessary appurtenances, in the new location or new locations, for
18 as long a period, and upon the same terms and conditions, as it had the right to maintain and
19 operate the facilities in their former location or locations;

20 (18) To make reasonable regulations and to grant easements for the installation,
21 construction, maintenance, repair, renewal, relocation, and removal of pipelines, other equipment,
22 and appliances of any corporation or person owning or operating pipelines in, on, along, over, or
23 under the turnpike, whenever the authority shall determine that it is necessary that any facilities
24 which now are, or hereafter may be located in, on, along, over or under the turnpike should be
25 relocated in the turnpike, or should be removed from the turnpike, the corporation or person
26 owning or operating the facilities shall relocate or remove the facilities in accordance with the
27 order of the authority; provided, however, that the cost and expense of the relocation or removal,
28 including the cost of installing the facilities in a new location, or new locations, and the cost of
29 any lands, or any rights or interests in lands, and any other rights acquired to accomplish the
30 relocation or removal, less the cost of any lands or any rights or interests in lands or any other
31 rights of any corporation or person paid to any corporation or person in connection with the
32 relocation or removal of the property, shall be ascertained and paid by the authority as a part of
33 the cost of the project. In case of any relocation or removal of facilities the corporation or person
34 owning or operating the facilities, its successors or assigns, may maintain and operate the

1 facilities, with the necessary appurtenances, in the new location or new locations, for as long a
2 period, and upon the same terms and conditions, as it had the right to maintain and operate the
3 facilities in their former location or locations;

4 (19) To enter upon any lands, waters, and premises for the purpose of making such
5 surveys, soundings, borings, and examinations as the authority may deem necessary or
6 convenient for its purposes, and the entry shall not be deemed a trespass, nor shall an entry for
7 such purposes be deemed an entry under any condemnation proceedings; provided, however, the
8 authority shall pay any actual damage resulting to the lands, water, and premises as a result of the
9 entry and activities as a part of the cost of the project;

10 (20) To enter into contracts or agreements with any board, commission, public
11 instrumentality of another state [or the federal government](#) or with any political subdivision of
12 another state relating to the connection or connections to be established between the turnpike or
13 any additional facility with any public highway or turnpike now in existence or hereafter to be
14 constructed in another state, and with respect to the construction, maintenance and operation of
15 interstate turnpikes or expressways;

16 (21) To enter into contracts with the department of transportation with respect to the
17 construction, reconstruction, renovation, acquisition, maintenance, repair, mitigation,
18 remediation, operation or management of any project and with the Rhode Island state police with
19 respect to the policing of any project;

20 (22) To make and enter into all contracts and agreements necessary or incidental to the
21 performance of its duties and the execution of its powers under this chapter; and

22 (23) To do all other acts and things necessary or convenient to carry out the powers
23 expressly granted in this chapter.

24 (24) To grant and/or contract through the transfer of funds of the authority to the
25 department of transportation for the construction, reconstruction, acquisition, maintenance, repair,
26 operation or management by the department of transportation of any project or projects
27 authorized by this chapter, and the department of transportation is authorized to accept any such
28 grant or transfer of funds.

29 (b) Provided, the authority in carrying out the provisions of this section shall hold public
30 hearings ~~in the city or town where a proposed project will be located~~ prior to the finalization of
31 any specifications or the awarding of any contracts for any project.

32 **24-12-18. Bonds.** -- (a) *Issuance and sale of revenue bonds.* ~~Subject to the provisions of~~
33 ~~§§24-12-21-24-12-24~~ ~~†~~The authority is hereby authorized to provide by resolution for the
34 issuance, at one time or in series from time to time, of revenue bonds of the authority for the

1 purpose of paying all or a part of the cost of any one or more projects, the construction,
2 reconstruction, renovation, acquisition, maintenance, repair, operation or management of which is
3 authorized by this chapter, and making provision for working capital and a [debt service](#) reserve
4 ~~for interest~~. The principal of and the interest on the bonds shall be payable solely from the funds
5 herein provided for the payment. The bonds of each issue shall be dated, shall bear interest at
6 such rate or rates per annum, shall mature at such time or times not exceeding fifty (50) years
7 from their date or dates, as may be determined by the authority, and may be made redeemable
8 before maturity, at the option of the authority, at such price or prices and under such terms and
9 conditions as may be fixed by the authority prior to the issuance of the bonds. The authority may
10 sell such bonds in such manner, either at public or private sale, and for such price, as it may
11 determine to be for the best interests of the authority, ~~but no such sale shall be made at a price~~
12 ~~less than ninety-seven percent (97%) of the principal amount of the bonds.~~

13 *(b) Form and execution of all bonds.* The authority shall determine the form and the
14 manner of execution of all bonds issued under the provisions of this chapter, including any
15 interest coupons to be attached thereto, and shall fix the denomination or denominations of the
16 bonds and the place or places of payment of the principal and interest, which may be at any bank
17 or trust company within or without the state. In case any officer whose signature or a facsimile of
18 whose signature shall appear on any bonds or coupons shall cease to be an officer before the
19 delivery of the bonds, the signature or the facsimile shall nevertheless be valid and sufficient for
20 all purposes the same as if the officer had remained in office until the delivery, and any bond may
21 bear the facsimile signature of, or may be signed by, the persons as at the actual time of the
22 execution of the bond shall be the proper officers to sign the bond although at the date of the bond
23 the persons may not have been the officers. The bonds may be issued in coupon or in registered
24 form, and in certificated or book entry only form as the authority may determine, and provision
25 may be made for the registration of any coupon bonds as to principal alone and also as to both
26 principal and interest, for the reconversion into coupon bonds of any bonds registered as to both
27 principal and interest, and for the interchange of registered and coupon bonds.

28 **24-12-26. Power to collect tolls and charges – Gasoline and service concessions. --**

29 (a) The authority is hereby authorized, subject to the provisions of this chapter, to fix, revise,
30 charge and collect tolls for the use of the Newport Bridge, the Mount Hope Bridge, [the Sakonnet](#)
31 [River Bridge \(subject to federal regulations and approvals\)](#), the turnpike and the different parts or
32 sections thereof, and for the use of any additional facility and the different parts or sections
33 thereof, and to contract with any person, partnership, association or corporation for placing on
34 any project telephone, telegraph, electric light or power lines, gas stations, garages, and

1 restaurants if deemed necessary by the authority in connection with the project, or for the use of
2 any project or part thereof, including the right-of-way adjoining the paved portion of the turnpike
3 or of any additional facility or for any other purposes and to fix the terms, conditions, rents and
4 rates of charges for such use; provided, that the authority shall construct any gasoline service
5 facilities which it may determine are needed on the project, and provided, further, that, to afford
6 users of the project a reasonable choice of motor fuels of different brands, each gasoline service
7 station shall be separately offered for lease upon sealed bids and, after notice of the offer has been
8 published once a week in three (3) consecutive weeks in a newspaper having general circulation
9 in the state, and, in the event an acceptable bid shall be received in the judgment of the authority,
10 each lease shall be awarded to the highest responsible bidder therefor, but no person shall be
11 awarded or have the use of, nor shall motor fuel identified by the trade-marks, trade names, or
12 brands of any one supplier, distributor, or retailer of such fuel be sold at more than one service
13 station if they would constitute more than twenty-five percent (25%) of the service stations on the
14 project. Notwithstanding the provisions of this section, members of the town of Jamestown police
15 and fire department and ambulance service personnel of the town of Jamestown and Jamestown
16 school department who, in the course of their duty, are required to pay a toll for use of the
17 Newport Bridge, shall, upon the presentment of receipts for the payment of the toll to the town of
18 Jamestown, be reimbursed for all charges on an annual basis by the town of Jamestown who in
19 turn shall be reimbursed for all payments made by the state. Notwithstanding the provisions of
20 this section, members of the city of Newport police and fire department and rescue personnel
21 who, in the course of their duty, are required to pay a toll for use of the Newport Bridge, shall,
22 upon the presentment of receipts for the payment of the toll to the city of Newport, be reimbursed
23 for all charges on an annual basis by the city of Newport who in turn shall be reimbursed for all
24 payments made by the state.

25 (b) Notwithstanding the provisions of this section, members of the police and fire
26 department and rescue personnel of any city or town in this state who, in the course of their duty,
27 are required to pay a toll for use of the Mount Hope Bridge [or the Sakonnet River Bridge](#), shall,
28 upon the presentment of receipts for the payment of the toll to their town or city, be reimbursed
29 for all such charges on an annual basis by the town or city, who in turn shall be reimbursed for all
30 payments made by the state.

31 **24-12-28. Revenues pledged to sinking fund.** -- To the extent provided in the resolution
32 authorizing the issuance of bonds [or finance lease](#) or in the trust agreement securing the same, the
33 tolls and all other revenues [received by the authority](#) ~~derived from the project or projects or~~
34 ~~portion or portions in connection with which the bonds of any one or more series shall have been~~

1 ~~issued~~, shall be set aside at such regular intervals as may be provided in the resolution or the trust
2 agreement in a sinking fund or funds which shall be pledged to, and charged with, the payment of
3 the lease payments and/or of the principal of and the interest on the bonds as the bonds shall
4 become due, and the redemption price or the purchase price of bonds or other obligations retired
5 by call or purchase as provided in the resolution or trust agreement. The pledge shall be valid and
6 binding from the time when the pledge is made; the tolls and other revenues or other money so
7 pledged and thereafter received by the authority shall immediately be subject to the lien of the
8 pledge without any physical delivery thereof or further act, and the lien of any pledge shall be
9 valid and binding as against all parties having claims of any kind in tort, contract, or otherwise
10 against the authority, irrespective of whether the parties have notice thereof. Neither the
11 resolution nor any trust agreement by which a pledge is created need be filed or recorded except
12 in the records of the authority. The use and disposition of money to the credit of each sinking
13 fund shall be subject to the provisions of the resolution authorizing the issuance of the lease, the
14 bonds or of the trust agreement. Notwithstanding any provision(s) of Section 3 of Article 6 of
15 Chapter 23 of the Public Laws of 2010, the provisions of this section shall apply to all bonds
16 issued or to be issued by the authority.

17 **24-12-39. Transfer of projects to state – Dissolution of authority.--** When all bonds
18 issued under the provisions of this chapter and the interest thereon shall have been paid or a
19 sufficient amount for the payment of all the bonds and the interest thereon to the maturity thereof
20 shall have been set aside in trust for the benefit of the bondholders, all projects financed under the
21 provisions of this chapter ~~shall~~ may be transferred to the state in good condition and repair, and
22 thereupon the authority shall be dissolved and all funds of the authority not required for the
23 payment of bonds shall be paid to the general treasurer for the use of the state and all machinery,
24 equipment and other property belonging to the authority shall be vested in the state and delivered
25 to the department of transportation.

26 **24-12-50. Relationship to department of transportation. --** (a) The department of
27 transportation is hereby constituted as the agency for the authority in carrying out all of the
28 powers to construct, acquire, operate, and maintain turnpikes and bridges as conferred by the
29 general laws upon the authority.

30 (b) Nothing in chapter 13 of title 42 or in this amendment to chapter 12 of title 24 shall
31 limit the discretions, powers, and authorities of the Rhode Island turnpike and bridge authority
32 necessary or desirable for it to execute and carry out the covenants, agreements, duties, and
33 liabilities assumed by it in the trust agreement by and between the authority and ~~the Rhode Island~~
34 ~~hospital trust company, as~~ the then serving trustee under indenture dated ~~as of December 1, 1965~~

1 [April 1, 2010](#), as supplemented from time to time, nor shall these chapters be construed in any
2 way to affect the rights, privileges, powers, and remedies of [any trustee](#) ~~the Rhode Island hospital~~
3 ~~trust company~~ and its successors, or of the holders of the bonds issued under any indenture, or
4 under any resolutions of the authority.

5 SECTION 4. Chapter 24-12 of the General Laws entitled “Rhode Island Turnpike and
6 Bridge Authority” is hereby amended by adding thereto the following sections:

7 **24-12-40.F. Title to Sakonnet River Bridge vested in Rhode Island turnpike and**
8 **bridge authority – Institution of tolls. --** [All powers, control, and jurisdiction of and title to the](#)
9 [Sakonnet River Bridge is authorized to be transferred to the Rhode Island turnpike and bridge](#)
10 [authority. The authority may charge and collect tolls for the use of the Sakonnet River Bridge to](#)
11 [provide funds sufficient with any other monies available therefor for paying the costs of](#)
12 [acquiring, leasing, maintaining, repairing and operating, the Jamestown Verrazzano Bridge, the](#)
13 [Mount Hope Bridge, the Newport Bridge, and the Sakonnet River Bridge, the turnpike and](#)
14 [additional facilities.](#)

15 **24-12-40.G. Title to Jamestown Verrazzano Bridge vested in Rhode Island turnpike**
16 **and bridge authority --** [All powers, control, and jurisdiction of and title to the Jamestown](#)
17 [Verrazzano Bridge is authorized to be transferred to the Rhode Island turnpike and bridge](#)
18 [authority.](#)

19 SECTION 5. This article shall take effect upon passage.