

2013 -- S 0242

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO HIGHWAYS -- RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY

Introduced By: Senators DiPalma, Felag, Ottiano, Bates, and Paiva Weed

Date Introduced: February 07, 2013

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 24-12-27, 24-12-40.A and 24-12-40.F of the General Laws in
2 Chapter 24-12 entitled "Rhode Island Turnpike and Bridge Authority" are hereby amended to
3 read as follows:

4 **24-12-27. Amount of tolls. --** Tolls shall be so fixed and adjusted in respect of the
5 aggregate of tolls from the project or projects or the portion or portions thereof in connection with
6 which bonds shall have been issued under the provisions of this chapter as to provide a fund
7 sufficient with other revenues, if any, to pay (1) the cost of maintaining, repairing, and operating
8 the project or projects or portion or portions thereof and (2) the principal of and the interest on the
9 bonds as the ~~principal~~ [principal](#) and interest shall become due and payable, and to create reserves
10 for such purposes; provided, however, that the authority shall establish commutation rates for
11 traffic over the Mount Hope Bridge by all vehicles, which rates shall not be in excess of the
12 commutation rates in effect for vehicles on January 1, 1960. Tolls shall not be subject to
13 supervision or regulation by any commission, board, bureau or agency of the state or of any
14 municipality or other political subdivision of the state. [Provided, further, that tolls on the Newport
15 Bridge shall be fixed at the toll rate applied as of January 1, 2013 and no such tolls shall be
16 permitted on the Sakonnet Bridge, Mount Hope Bridge or Jamestown Bridge.](#)

17 **24-12-40.A. Title to Mount Hope Bridge vested in Rhode Island turnpike and bridge**
18 **authority -- Continuation of tolls. --** All powers, control, and jurisdiction of and title to the
19 Mount Hope Bridge is hereby affirmed as having vested in the Rhode Island turnpike and bridge

1 authority as of June 1, 1964, and the transfer of funds to the authority by the trustee under the
2 trust indenture securing the Mount Hope Bridge revenue bonds is hereby ratified and affirmed.
3 ~~The authority shall continue to charge and collect tolls for the use of the Mount Hope Bridge to
4 provide funds sufficient with any other monies available therefor for paying the costs of
5 maintaining, repairing, and operating the bridge, and in any event tolls for the use of the Mount
6 Hope Bridge shall continue until a fund shall be provided for the payment of engineering,
7 financing, and legal services in connection with the financing and construction of the Newport
8 Bridge. The power and right of the authority to collect and to use tolls collected for the use of the
9 Mount Hope Bridge subsequent to June 1, 1964 for the purpose of payment of engineering,
10 financial, and legal services in connection with the financing and construction of the Newport
11 Bridge in an amount heretofore expended not in excess of six hundred thousand dollars
12 (\$600,000) is hereby ratified and affirmed.~~

13 **24-12-40.F. Title to Sakonnet River Bridge vested in Rhode Island turnpike and**
14 **bridge authority -- Institution of tolls. --** All powers, control, and jurisdiction of and title to the
15 Sakonnet River Bridge is authorized to be transferred to the Rhode Island turnpike and bridge
16 authority. ~~The authority may charge and collect tolls for the use of the Sakonnet River Bridge to
17 provide funds sufficient with any other monies available therefor for paying the costs of
18 acquiring, leasing, maintaining, repairing and operating, the Jamestown Verrazzano Bridge, the
19 Mount Hope Bridge, the Newport Bridge, and the Sakonnet River Bridge, the turnpike and
20 additional facilities.~~

21 SECTION 2. Chapter 24-12 of the General Laws entitled "Rhode Island Turnpike and
22 Bridge Authority" is hereby amended by adding thereto the following sections:

23 **24-12-59. Rhode Island turnpike and bridge authority fund established. --** (a) There
24 is hereby created within the department of transportation's intermodal surface transportation fund,
25 a bridge maintenance fund. Said bridge maintenance fund shall be used for the sole purpose of
26 distributing to the department of transportation an amount equal to the authority's cost of
27 maintaining all of the bridges under the control of the authority. The amount paid from the bridge
28 maintenance fund shall be reduced by any such amount collected as allowable toll revenue
29 pursuant to powers granted to the Rhode Island turnpike and bridge authority.

30 (b) The fund shall consist of monies generated from the following:

31 (1) A twenty dollar (\$20.00) charge added to section 31-47.1-11 relating to the motor
32 vehicles emissions inspection program.

33 (2) Effective fiscal year 2014, and each year thereafter until the year 2020, an amount to
34 be determined by the following chart shall be deposited into the bridge maintenance fund from

1 the funds collected pursuant to section 31-47.1-11:

2 (i) FY 2014..... ten million dollars (\$10,000,000)

3 (ii) FY 2015 fifteen million dollars (\$15,000,000)

4 (iii) FY 2016 twenty million dollars (\$20,000,000)

5 (iv) FY 2017..... twenty-five million dollars (\$25,000,000)

6 (v) FY 2018..... thirty million dollars (\$30,000,000)

7 (vi) FY 2019..... thirty-five million dollars (\$35,000,000)

8 (vii) FY 2020 and each fiscal year thereafter..... forty million dollars (\$40,000,000)

9 (c) Unexpended balances and any earnings thereon shall not revert to the general fund but
10 shall remain in the bridge maintenance fund for the sole use by the department of transportation
11 for department maintenance activities.

12 (d) The allowable toll revenue collected by the Rhode Island turnpike and bridge
13 authority effective July 1, 2013, shall be limited to the amount collected pursuant to this section.

14 **24-12-60. Maintenance cost basis. --** For purposes of determining the Rhode Island
15 turnpike and bridge authority's cost of maintaining the state's bridges, the department shall
16 consider the total projected costs of the authority over the period of fiscal year 2014 through
17 fiscal year 2023 as redetermined from time to time by the authority.

18 SECTION 3. Section 31-47.1-11 of the General Laws in Chapter 31-47.1 entitled "Motor
19 Vehicle Emissions Inspection Program" is hereby amended to read as follows:

20 **31-47.1-11. Fees. --** (a) A fee of ~~thirty-nine dollars (\$39.00)~~ fifty-nine dollars (\$59.00) is
21 to be charged for each motor vehicle inspected. The amount of fees collected shall provide for the
22 cost of the inspection, the costs of administering the motor vehicle emissions inspection program,
23 the costs of administrating the bridge maintenance fund pursuant to chapter 24-12 and other costs
24 provided by law. The fee must be paid for each motor vehicle inspected at an emissions
25 inspection station at the time of the inspection and is payable whether a compliance certificate,
26 waiver certificate, or no certificate is issued. There shall be no fee charged for one reinspection of
27 a vehicle that failed an initial inspection when the reinspection is conducted at the AIRS that
28 conducted the initial inspection.

29 Of the ~~thirty-nine dollars (\$39.00)~~ fifty-nine dollars (\$59.00) fee, nineteen dollars
30 (\$19.00) shall be retained by the inspection station owner to cover the costs of performing the
31 inspection. ~~The remaining twenty dollars (\$20.00)~~ Twenty dollars (\$20.00) shall be remitted to
32 the program manager and twenty dollars (\$20.00) to the bridge maintenance fund pursuant to
33 chapter 24-12. The program manager shall retain no more than four dollars (\$4.00) of the fee and
34 remit no less than sixteen dollars (\$16.00) for deposit in the state general fund. The general

1 assembly shall annually appropriate such sums as may be required to cover the costs of
2 administering the program by the division of motor vehicles and the department of environmental
3 management.

4 (b) The general assembly shall on or before June 30th of each calendar year review the
5 costs and fees associated with the program with the goal of eliminating all fees being directed to
6 the general fund and to eliminate all costs and fees not directly related and necessary to pay the
7 costs of administering the motor vehicle emission inspection program as required under 40 CFR
8 51.354(a).

9 [\(c\) Effective fiscal year 2014, the fees collected herein shall be collected and distributed](#)
10 [pursuant to section 24-12-59.](#)

11 SECTION 4. Section 35-4-27 of the General Laws in Chapter 35-4 entitled "State Funds"
12 is hereby amended to read as follows:

13 **35-4-27. Indirect cost recoveries on restricted receipt accounts.** -- Indirect cost
14 recoveries of ten percent (10%) of cash receipts shall be transferred from all restricted receipt
15 accounts, to be recorded as general revenues in the general fund. However, there shall be no
16 transfer from cash receipts with restrictions received exclusively: (1) from contributions from
17 non-profit charitable organizations; (2) from the assessment of indirect cost recovery rates on
18 federal grant funds; or (3) through transfers from state agencies to the department of
19 administration for the payment of debt service. These indirect cost recoveries shall be applied to
20 all accounts, unless prohibited by federal law or regulation, court order, or court settlement. The
21 following restricted receipt accounts shall not be subject to the provisions of this section:

- 22 Department of Human Services
- 23 Veterans' home -- Restricted account
- 24 Veterans' home -- Resident benefits
- 25 Organ transplant fund
- 26 Veteran's Cemetery Memorial Fund
- 27 Department of Health
- 28 Pandemic medications and equipment account
- 29 Department of Mental Health, Retardation and Hospitals
- 30 Eleanor Slater non-Medicaid third-party payor account
- 31 Hospital Medicare Part D Receipts
- 32 RICLAS Group Home Operations
- 33 Vigneron Memorial Fund Grant
- 34 Department of Environmental Management

1 National heritage revolving fund
2 Environmental response fund II
3 Underground storage tanks registration fees
4 Rhode Island Council on the Arts
5 Art for public facilities fund
6 Rhode Island Foundation Grant
7 Rhode Island Historical Preservation and Heritage Commission
8 Historic preservation revolving loan fund
9 Historic Preservation loan fund -- Interest revenue
10 Department of Public Safety
11 Forfeited property -- Retained
12 Forfeitures -- Federal
13 Forfeited property -- Gambling
14 Donation -- Polygraph and Law Enforcement Training
15 Rhode Island State Firefighter's League Training Account
16 Fire Academy Training Fees Account
17 Attorney General
18 Forfeiture of property
19 Federal forfeitures
20 Attorney General multi-state account
21 Department of Administration
22 Office of Management and Budget
23 Information Technology Investment Fund
24 Restore and replacement -- Insurance coverage
25 Convention Center Authority rental payments
26 Investment Receipts -- TANS
27 Car Rental Tax/Surcharge-Warwick Share
28 OPEB System Restricted Receipt Account
29 ARRA Administrative Expenses - Bureau of Audits
30 ARRA Administrative Expenses - Purchasing
31 Legislature
32 Audit of federal assisted programs
33 Department of Elderly Affairs
34 Pharmaceutical Rebates Account

- 1 Department of Children Youth and Families
- 2 Children's Trust Accounts -- SSI
- 3 Military Staff
- 4 RI Military Family Relief Fund
- 5 RI National Guard Counterdrug Program
- 6 Treasury
- 7 Admin. Expenses -- State Retirement System
- 8 Retirement -- Treasury Investment Options
- 9 Business Regulation
- 10 Banking Division Reimbursement Account
- 11 Office of the Health Insurance Commissioner Reimbursement Account
- 12 Securities Division Reimbursement Account
- 13 Commercial Licensing and Racing and Athletics Division Reimbursement Account
- 14 Insurance Division Reimbursement Account
- 15 Historic Preservation Tax Credit Account.
- 16 Judiciary
- 17 Arbitration Fund Restricted Receipt Account
- 18 Department of Elementary and Secondary Education
- 19 Statewide Student Transportation Services Account
- 20 School for the Deaf Fee for Service Account
- 21 Davies Career and Technical School Local Education Aid Account
- 22 Early Childhood Grant Program Account
- 23 Office of the Governor
- 24 ARRA Administrative Expenses -- Office of Economic Recovery and ReInvestment
- 25 Department of Labor and Training
- 26 Job Development Fund -- Title XII loans principal and interest
- 27 [Department of Transportation Bridge Maintenance Fund](#)
- 28 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HIGHWAYS -- RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY

1 This act would provide various amendments restricting tolls on bridges and would
2 establish a bridge maintenance fund to provide for said bridge maintenance.

3 This act would take effect upon passage.

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