

2013 -- S 0989

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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, and Bates

Date Introduced: June 05, 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 **24-12-40.H. Title to state-owned bridges of 700 feet or more vested in Rhode Island**
 24 **bridge and turnpike authority. -- All powers, control, and jurisdiction of and title to all state-**
 25 **owned bridges of 700 feet or more is authorized to be transferred to the Rhode Island turnpike**
 26 **and bridge authority, including those bridges identified by the department of transportation as**
 27 **follows:**

Bridge ID	Bridge Name	Facility Carried	Feature Intersected	City/Town	Length (ft)
090001	...Newport Bridge Authority	RI 138	East Passage Narr	Jamestown Bay	11248.00
080001	...Jamestown-Verrazzano	RI 138	West Passage Narr Bay	Jamestown	7353.02
030001	...Mount Hope	RI 114	Mt Hope Bay, N Sec	Bristol	4858.00

1				RR, 114 LP		
2	025001 ...Sakonnet	RI 24 &	Sakonnet River	Portsmouth	2265.00	
3	River	RI 138				
4	060001 ...Red Bridge	Seekonk	Seekonk River &	East Providence	2049.87	
5		River Cross	City Sts			
6	107101 ...Ramp WS	I-195 W	Rmp SE, US 1, I-95	Providence	1923.50	
7		to I-95 SB	NB & SB			
8	170001 ...Washington	I-195 WB	Seekonk River	East Providence	1903.87	
9	Bridge North					
10	107301 ...Ramp NE	I-95 N	US 1 & Blackstone St	Providence	1745.77	
11		to I-195 E				
12	020001 ...Washington	I-195 EB	Seekonk River & Sts	East Providence	1670.79	
13	Bridge South					
14	107401 ...Ramp SE	Rmp SE-95S	I-95 Rmp NP & WS,	Providence	1620.25	
15		to 195 E	US 1, Eddy Street			
16	050401 ...Huntington	US 6	Westminster, Troy,	Providence	1338.91	
17	Ave Viaduct	Olneyville Exp	Amtrak			
18	057801 ...Providence	I-95 NB &	US 6, Woonsocket River,	Providence	1294.95	
19	Viaduct	SB	Amtrak			
20	108101 ...Providence	I-195 EB &	Providence River, South	Providence	1235.30	
21	River Bridge	WB	Main & South Water Sts			
22	102701 ...Harris Ave	Mall Rmp	Harris Ave	Providence	1073.16	
23		RV- AD				
24	069701 ...Goat Island	Goat Island	Newport Harbor	Newport	1067.30	
25	Causeway	Causeway				
26	057901 ...Ramp AD	Ramp AD	Amtrak, Woonsocket	Providence	1013.12	
27	Civic Center		River, Ramp BD			
28	098501 ...Blackstone	RI 99 NB &	Blackstone River, P & W Lincoln		1000.00	
29	River	SB	Railroad			
30	107601 ...Ramp NP	Ramp NP	Ramp WN, Ramp SE,	Providence	963.50	
31			Eddy Street			
32	027501 ...Ashton	RI 116 Geo	Blackstone River, P & W Cumberland		873.03	
33	Viaduct	Wash Hgwy	Railroad			
34	058201 ...Ramp CB-2	Ramp CB-2	Amtrak & City Streets	Providence	851.05	

1		Civic Center				
2	084901	...Ramp BD	I-95 Ramp	US 6, W Exchange St,	Providence	841.86
3		Civic Center	BD	Ramps		
4	066501	...Huntington	RI 10	I-95 NB & SB, Amtrak	Cranston	777.89
5		Viaduct	Huntington Exp			
6	035021	...Airport	Airport	Arrival Road	Warwick	720.00
7		Elevated	Elev Rdwy			
8		Rdwy				

9 **24-12-59. Rhode Island turnpike and bridge authority fund established. -- (a) There**
10 **is hereby created within the department of transportation's intermodal surface transportation fund,**
11 **a bridge maintenance fund. Said bridge maintenance fund shall be used for the sole purpose of**
12 **distributing to the Rhode Island turnpike and bridge authority an amount equal to the authority's**
13 **cost of maintaining all of the bridges under the control of the authority. The amount paid from the**
14 **bridge maintenance fund shall be reduced by any such amount collected as allowable toll revenue**
15 **pursuant to powers granted to the Rhode Island turnpike and bridge authority.**

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

17 **(1) Beginning in fiscal year 2014, those funds remitted to the fund pursuant to section 31-**
18 **47.1-11 relating to the motor vehicles emissions inspection program.**

19 **(2) Effective fiscal year 2016, and each year thereafter until the fiscal year 2023, an**
20 **amount to be determined by the following chart shall be deposited into the bridge maintenance**
21 **fund from the funds collected pursuant to section 31-47.1-11:**

22 **(i) FY 2016..... five million dollars (\$5,000,000)**

23 **(ii) FY 2017 ten million dollars (\$10,000,000)**

24 **(iii) FY 2018 fifteen million dollars (\$15,000,000)**

25 **(iv) FY 2019..... twenty million dollars (\$20,000,000)**

26 **(v) FY 2020..... twenty-five million dollars (\$25,000,000)**

27 **(vi) FY 2021..... thirty million dollars (\$30,000,000)**

28 **(vii) FY 2022..... thirty-five million dollars (\$35,000,000)**

29 **(viii) FY 2023 and each fiscal year thereafter..... forty million dollars (\$40,000,000)**

30 **(3) Beginning in fiscal year 2014 and continuing thereafter, all fines assessed pursuant to**
31 **sections 31-47-9 and 31-47-9.1 of the general laws, the "Motor Vehicle Reparatons Act" over**
32 **and above that amount collected pursuant to those sections in fiscal year 2013.**

33 **(4) Beginning in fiscal year 2014 and continuing thereafter, that amount of motor vehicle**
34 **insurance premiums tax collected pursuant to section 44-17-1 of the general laws, over and above**

1 that amount collected pursuant to that section in fiscal year 2013.

2 (5) Beginning in fiscal year 2014 and continuing thereafter, the amount of three million
3 dollars (\$3,000,000) from Rhode Island Capital Plan Fund.

4 (c) In the event that the state in any fiscal year shall fail to transfer the funding required
5 by subsection (b) of this section, the Rhode Island bridge and turnpike authority shall be
6 permitted to pursue the installation of tolling.

7 (d) Unexpended balances and any earnings thereon shall not revert to the general fund but
8 shall remain in the bridge maintenance fund for the sole use by Rhode Island bridge and turnpike
9 authority for bridge maintenance activities.

10 **24-12-60. Maintenance cost basis.** -- For purposes of determining the Rhode Island
11 turnpike and bridge authority's cost of maintaining the state's bridges, the department shall
12 consider the total projected costs of the authority over the period of fiscal year 2014 through
13 fiscal year 2023 as redetermined from time to time by the authority.

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

16 **31-47.1-11. Fees.** -- (a) A fee of ~~thirty-nine dollars (\$39.00)~~ sixty-five dollars (\$65.00) is
17 to be charged for each motor vehicle inspected. The amount of fees collected shall provide for the
18 cost of the inspection, the costs of administering the motor vehicle emissions inspection program,
19 the costs of administrating the bridge maintenance fund pursuant to chapter 24-12 and other costs
20 provided by law. The fee must be paid for each motor vehicle inspected at an emissions
21 inspection station at the time of the inspection and is payable whether a compliance certificate,
22 waiver certificate, or no certificate is issued. There shall be no fee charged for one reinspection of
23 a vehicle that failed an initial inspection when the reinspection is conducted at the AIRS that
24 conducted the initial inspection.

25 (b) Of the ~~thirty-nine dollars (\$39.00)~~ sixty-five dollars (\$65.00) fee, ~~nineteen dollars~~
26 ~~(\$19.00)~~ twenty-two dollars (\$22.00) shall be retained by the inspection station owner to cover
27 the costs of performing the inspection. The remaining ~~twenty dollars (\$20.00)~~ forty-three dollars
28 ~~(\$43.00)~~ shall be remitted to the program manager. The program manager shall retain no more
29 than four dollars (\$4.00) of the fee and remit no less than sixteen dollars (\$16.00) for deposit in
30 the state general fund and not less than twenty-three dollars (\$23.00) to the bridge maintenance
31 fund created by subsection 24-12-59 (a) of the general laws. The general assembly shall annually
32 appropriate such sums as may be required to cover the costs of administering the program by the
33 division of motor vehicles and the department of environmental management.

34 ~~(b)~~(c) The general assembly shall on or before June 30th of each calendar year review

1 the costs and fees associated with the program with the goal of eliminating all fees being directed
2 to the general fund and to eliminate all costs and fees not directly related and necessary to pay the
3 costs of administering the motor vehicle emission inspection program as required under 40 CFR
4 51.354(a).

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

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

9 **35-4-27. Indirect cost recoveries on restricted receipt accounts.** -- Indirect cost
10 recoveries of ten percent (10%) of cash receipts shall be transferred from all restricted receipt
11 accounts, to be recorded as general revenues in the general fund. However, there shall be no
12 transfer from cash receipts with restrictions received exclusively: (1) from contributions from
13 non-profit charitable organizations; (2) from the assessment of indirect cost recovery rates on
14 federal grant funds; or (3) through transfers from state agencies to the department of
15 administration for the payment of debt service. These indirect cost recoveries shall be applied to
16 all accounts, unless prohibited by federal law or regulation, court order, or court settlement. The
17 following restricted receipt accounts shall not be subject to the provisions of this section:

18 Department of Human Services
19 Veterans' home -- Restricted account
20 Veterans' home -- Resident benefits
21 Organ transplant fund
22 Veteran's Cemetery Memorial Fund
23 Department of Health
24 Pandemic medications and equipment account
25 Department of Mental Health, Retardation and Hospitals
26 Eleanor Slater non-Medicaid third-party payor account
27 Hospital Medicare Part D Receipts
28 RICLAS Group Home Operations
29 Vigneron Memorial Fund Grant
30 Department of Environmental Management
31 National heritage revolving fund
32 Environmental response fund II
33 Underground storage tanks registration fees
34 Rhode Island Council on the Arts

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

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

24 SECTION 5. Beginning in fiscal year 2015 and continuing thereafter, the general
25 assembly shall annually appropriate the amount of two million dollars (\$2,000,000) to the Rhode
26 Island Public Transit Authority for use by the authority in implementing its approval strategic
27 plan.

28 SECTION 6. This act shall take effect upon passage.

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LC02742
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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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