

ENROLLED ACT NO. 111, HOUSE OF REPRESENTATIVES

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2009 GENERAL SESSION

AN ACT relating to highway funding; requiring a phase two study of tolling on interstate 80; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1.

(a) The Wyoming department of transportation shall conduct, or contract with other persons to conduct, a study of tolling on Wyoming's portion of interstate 80. The study shall be a follow-up to the phase one tolling study completed in the fall of 2008 and, in addition to other pertinent issues, shall consider the following issues as they relate to the implementation of the tolling and improvement scenarios listed below:

(i) Roadway safety enhancements;

(ii) Constructing additional lanes to be shared by all vehicles;

(iii) Constructing additional lanes that would be restricted to certain vehicles.

(b) The following issues shall be reviewed:

(i) Refine the roadway concept. This task shall provide a more detailed description of the roadway under the specific improvement scenarios listed in paragraphs (a)(i) through (iii) of this section. It shall entail a review of the corridor, identify areas where the roadway footprint and associated costs could be reduced while meeting the improvement objectives and where appropriate, shall utilize cost estimates from the Wyoming department of

ORIGINAL HOUSE
BILL NO. 0179

ENROLLED ACT NO. 111, HOUSE OF REPRESENTATIVES

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2009 GENERAL SESSION

transportation's engineering programs, including bridge, project development, right-of-way and utilities programs. This task shall identify and highlight any safety improvements that expansion may provide, identify safety enhancements from tolling operations including additional patrols and enforcement, and provide information on developing a strategy to gain federal approval under applicable federal programs that require applications;

(ii) Refine the tolling concept. In conjunction with paragraph (a)(i) of this section, this task shall analyze staging for tolling implementation to assess options for potential precompletion tolling, which, in addition to financing, may provide early cash flow for construction. This task shall include a review of the number and location of tolling points needed to maximize revenue while minimizing operations costs and inconvenience to the public;

(iii) Fiscal and other impacts analysis. This task shall assess the impacts arising from tolling, including how traffic diversion related to tolling may affect local businesses and change regional and state economic metrics. The impacts analysis shall include analyses of state and federal fuel tax, sales tax and other tax revenues as well as likely impacts to businesses operating along the I-80 corridor. The review also shall be conducted on the impact of toll diversion on annual roadway maintenance outlays including the net effect to wear and tear on I-80 due to reduced truck traffic;

(iv) Federal funding impacts. This task shall assess concerns over loss of interstate maintenance funding and potential impacts to other federal highway funding allocations for each improvement scenario. This task shall clearly document the issues and provide potential

ORIGINAL HOUSE
BILL NO. 0179

ENROLLED ACT NO. 111, HOUSE OF REPRESENTATIVES

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2009 GENERAL SESSION

strategies for minimizing the loss of any funding. This task shall provide information needed for discussions with the federal highway administration regarding federal tolling programs that could meet goals for I-80;

(v) Define financing scenarios. In the wake of the recent financial market crisis, this task shall review all financing assumptions, including the ability and need of Wyoming to provide additional financial assurance for any debt, the availability of bond insurance and the likelihood that investment-grade ratings can be obtained. This task also shall consider the cost of the debt plus a projection of operation costs to be used to derive a "breakeven" toll schedule for each improvement scenario;

(vi) Public outreach. This task shall require the department or persons retained by the department to present tolling concepts, including information gathered pursuant to this act, to the public and to stakeholders through outreach, education and focus groups. One (1) goal of this task shall be to gather and understand the concerns of all stakeholders and provide accurate information to stakeholders and the public so as to avoid reactions based on insufficient or inaccurate information;

(vii) Review of tolling technology. A basic electronic toll collection/cash operation has been modeled in phase one but other potential technology shall be evaluated for use on I-80.

Section 2. The phase two study required by section 1 of this act shall be completed on or before September 1, 2009 and a copy of the report shall be provided to the joint transportation, highways and military affairs interim committee on or before that date.

ORIGINAL HOUSE
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ENROLLED ACT NO. 111, HOUSE OF REPRESENTATIVES

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Section 3. The Wyoming department of transportation shall implement the study and report required in section 1 of this act using federal highway planning funds.

Section 4. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk