

## HOUSE BILL NO. HB0179

Phase two study-I-80 tolling.

Sponsored by: Representative(s) Hallinan, Blake, Carson, Hammons, Harshman, Lubnau and Zwonitzer, Dv. and Senator(s) Esquibel, F., Hastert and Von Flatern

A BILL

for

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

4

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

6

7 **Section 1.**

8

9 (a) The Wyoming department of transportation shall  
10 conduct, or contract with other persons to conduct, a study  
11 of tolling on Wyoming's portion of interstate 80. The  
12 study shall be a follow-up to the phase one tolling study  
13 completed in the fall of 2008 and, in addition to other  
14 pertinent issues, shall consider the following issues as

1 they relate to the implementation of the tolling and  
2 improvement scenarios listed below:

3

4 (i) Roadway safety enhancements only (current  
5 estimated need is three hundred twenty million dollars  
6 (\$320,000,000.00));

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8 (ii) Constructing one (1) new lane, east-bound  
9 and west-bound, to be shared by all vehicles;

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11 (iii) Constructing one (1) new lane, east-bound  
12 and west-bound, the lanes farthest from the center median  
13 for trucks only, the center lanes for all vehicles and with  
14 trucks restricted from the lanes nearest the center median.

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16 (b) The following issues shall be reviewed:

17

18 (i) Refine the roadway concept. This task shall  
19 provide a more detailed description of the roadway under  
20 the specific improvement scenarios listed in paragraphs  
21 (a)(i) through (iii) of this section. It shall entail a  
22 review of the corridor, identify areas where the roadway  
23 footprint and associated costs could be reduced while  
24 meeting the improvement objectives and where appropriate,

1 shall utilize cost estimates from the Wyoming department of  
2 transportation's engineering programs, including bridge,  
3 project development, right-of-way and utilities programs.  
4 This task shall identify and highlight any safety  
5 improvements that expansion may provide, identify safety  
6 enhancements from tolling operations including additional  
7 patrols and enforcement, and provide information on  
8 developing a strategy to gain federal approval under  
9 applicable federal programs that require applications;

10

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

20

21 (iii) Fiscal and other impacts analysis. This  
22 task shall assess the impacts arising from tolling,  
23 including how traffic diversion related to tolling may  
24 affect local businesses and change regional and state

1 economic metrics. The impacts analysis shall include  
2 analyses of state and federal fuel tax, sales tax and other  
3 tax revenues as well as likely impacts to businesses  
4 operating along the I-80 corridor. The review also shall  
5 be conducted on the impact of toll diversion on annual  
6 roadway maintenance outlays including the net effect to  
7 wear and tear on I-80 due to reduced truck traffic;

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9 (iv) Federal funding impacts. This task shall  
10 assess concerns over loss of interstate maintenance funding  
11 and potential impacts to other federal highway funding  
12 allocations for each improvement scenario. This task shall  
13 clearly document the issues and provide potential  
14 strategies for minimizing the loss of any funding. This  
15 task shall provide information needed for discussions with  
16 the federal highway administration regarding federal  
17 tolling programs that could meet goals for I-80;

18

19 (v) Define financing scenarios. In the wake of  
20 the recent financial market crisis, this task shall review  
21 all financing assumptions, including the ability and need  
22 of Wyoming to provide additional financial assurance for  
23 any debt, the availability of bond insurance and the  
24 likelihood that investment-grade ratings can be obtained.

1 This task also shall consider the cost of the debt plus a  
2 projection of operation costs to be used to derive a  
3 "breakeven" toll schedule for each improvement scenario;

4

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

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

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20 **Section 2.** The phase two study required by section 1  
21 of this act shall be completed on or before September 1,  
22 2009 and a copy of the report shall be provided to the  
23 joint transportation, highways and military affairs interim  
24 committee on or before that date.

1

2           **Section 3.** There is appropriated from the general  
3 fund to the Wyoming department of transportation fifty  
4 thousand dollars (\$50,000.00). The appropriation shall  
5 only be expended for the purpose of completing and  
6 publishing the study and report required in section 1 of  
7 this act. Notwithstanding any other provision of law, this  
8 appropriation shall not be transferred or expended for any  
9 other purpose and any unexpended, unobligated funds  
10 remaining from this appropriation shall revert as provided  
11 by law on June 30, 2010. This appropriation shall not be  
12 included in the department's 2011-2012 standard biennial  
13 budget request.

14

15           **Section 4.** The Wyoming department of transportation  
16 shall supplement the appropriation made in section 3 of  
17 this act with federal highway planning funds as necessary  
18 to fund the study and report required in section 1 of this  
19 act.

20

1           **Section 5.** This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the Wyoming  
4 Constitution.

5

6

(END)