



January 17, 2014

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## HOUSE BILL No. 1104

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DIGEST OF HB 1104 (Updated January 15, 2014 12:24 pm - DI 96)

**Citations Affected:** IC 8-23.

**Synopsis:** Alternative transportation funding mechanisms. Requires the Indiana department of transportation to contract with a third party for a study of alternative funding mechanisms for the maintenance of Indiana's transportation infrastructure.

**Effective:** Upon passage.

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### Soliday, Frye R, Stemler, Smaltz

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January 9, 2014, read first time and referred to Committee on Roads and Transportation.  
January 16, 2014, amended, reported — Do Pass.

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HB 1104—LS 6806/DI 103





January 17, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## HOUSE BILL No. 1104

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A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 8-23-29 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]:

4 **Chapter 29. Transportation Infrastructure Funding**  
5 **Mechanisms**

6 **Sec. 1. As used in this chapter, "study" refers to the study of**  
7 **transportation infrastructure funding mechanisms that is the**  
8 **subject of the contract described in section 2 of this chapter.**

9 **Sec. 2. The department shall contract with a third party to study**  
10 **transportation infrastructure funding mechanisms. The contract**  
11 **must include the following terms:**

12 **(1) A description of the funding mechanisms that will be**  
13 **studied. The funding mechanisms must include the following:**

14 **(A) An option that is based on variables, including vehicle**  
15 **gross weight and miles traveled.**

16 **(B) An option that accounts for variations in usage and**

HB 1104—LS 6806/DI 103



- 1 degree of damage caused to transportation infrastructure  
 2 by vehicles of different sizes and configurations.  
 3 (C) A flat per vehicle fee.  
 4 (D) Adjustments to one (1) or more of the following:  
 5 (i) The state gross retail tax on motor fuel imposed under  
 6 IC 6-2.5-7.  
 7 (ii) The gasoline tax imposed under IC 6-6-1.1.  
 8 (iii) The special fuel tax imposed under IC 6-6-2.5.  
 9 (iv) The motor carrier fuel tax imposed under IC 6-6-4.1,  
 10 including the surcharge tax imposed under  
 11 IC 6-6-4.1-4.5.  
 12 (E) Tolls.  
 13 (F) Any other mechanism the department determines is  
 14 appropriate.  
 15 (2) The duration of the study, which must be at least two (2)  
 16 years.  
 17 (3) An inventory of the transportation infrastructure that will  
 18 be maintained through revenue generated by the funding  
 19 mechanisms included in the study. The inventory must include  
 20 state and local highways, roads, and streets.  
 21 (4) The rating system by which the maintenance of the  
 22 transportation infrastructure will be evaluated.  
 23 **Sec. 3. The study must do the following:**  
 24 (1) Review the literature of similar studies conducted in other  
 25 jurisdictions.  
 26 (2) Determine the costs of maintaining the transportation  
 27 infrastructure designated in the contract under the rating  
 28 system designated in the contract.  
 29 (3) For each mechanism studied, calculate the per unit  
 30 amount required to generate revenue sufficient to cover the  
 31 costs described in subdivision (2).  
 32 (4) Identify and discuss the following concerns for each  
 33 mechanism studied:  
 34 (A) Privacy.  
 35 (B) Ease of use.  
 36 (C) Compliance.  
 37 (D) Revenue collection costs.  
 38 (5) Evaluate the effects of each funding mechanism on  
 39 alternative fuel and advanced technology vehicles.  
 40 (6) Identify and analyze the technologies supporting each  
 41 mechanism studied.  
 42 **Sec. 4. Not later than July 1 of each year of the study, the**



1 department shall provide the results of the study to date in an  
2 electronic format under IC 5-14-6 to the following:  
3 (1) The joint study committee on transportation and  
4 infrastructure assessment and solutions established by  
5 IC 2-5-28.5-2.  
6 (2) The legislative council.  
7 (3) The governor.  
8 Sec. 5. The department shall pay the amount necessary for the  
9 study out of any funds available for the purpose.  
10 Sec. 6. Upon conclusion of the study, the department shall  
11 consider the appropriateness of implementing a voluntary pilot  
12 program based on one (1) or more of the mechanisms included in  
13 the study.  
14 SECTION 2. An emergency is declared for this act.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1104, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 4, delete "the" and insert "**one (1) or more of the following:**

**(i) The state gross retail tax on motor fuel imposed under IC 6-2.5-7.**

**(ii) The".**

Page 2, between lines 5 and 6, begin a new line triple block indented and insert:

**"(iii) The special fuel tax imposed under IC 6-6-2.5.**

**(iv) The motor carrier fuel tax imposed under IC 6-6-4.1, including the surcharge tax imposed under IC 6-6-4.1-4.5.**

**(E) Tolls.**

**(F) Any other mechanism the department determines is appropriate."**

Page 2, delete lines 11 through 15 and insert "**state and local highways, roads, and streets.**

**(4) The rating system by which the maintenance of the transportation infrastructure will be evaluated."**

Page 2, line 19, delete "cost" and insert "**costs**".

Page 2, line 20, delete "to the standard" and insert "**under the rating system**".

Page 2, line 22, delete "Depending on the mechanism," and insert "**For each mechanism studied,**".

Page 2, delete lines 25 through 26, begin a new line block indented and insert:

**"(4) Identify and discuss the following concerns for each mechanism studied:**

**(A) Privacy.**

**(B) Ease of use.**

**(C) Compliance.**

**(D) Revenue collection costs."**

Page 2, between lines 28 and 29, begin a new line block indented and insert:

**"(6) Identify and analyze the technologies supporting each mechanism studied."**

Page 2, between lines 38 and 39, begin a new paragraph and insert:



**"Sec. 6. Upon conclusion of the study, the department shall consider the appropriateness of implementing a voluntary pilot program based on one (1) or more of the mechanisms included in the study."**

and when so amended that said bill do pass.

(Reference is to HB 1104 as introduced.)

SOLIDAY, Chair

Committee Vote: yeas 12, nays 0.

