

CHAPTER 17
SB 367-FN-A – FINAL VERSION

03/13/14 0860s
03/27/14 1123s
03/27/14 1159s
05/01/14 1656EBA

2014 SESSION

14-2614
10/03

SENATE BILL ***367-FN-A***

AN ACT requiring adjustment of the road toll according to changes in the Consumer Price Index, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack, and establishing a committee to study the effectiveness and efficiency of the department of transportation.

SPONSORS: Sen. Rausch, Dist 19; Sen. Stiles, Dist 24; Sen. Boutin, Dist 16; Sen. Watters, Dist 4; Sen. D'Allesandro, Dist 20; Rep. Campbell, Hills 33; Rep. Bouchard, Merr 18; Rep. Cebrowski, Hills 7

COMMITTEE: Ways and Means

AMENDED ANALYSIS

This bill requires the adjustment in 2014 of the road toll imposed on sales of motor fuels according to changes in the Consumer Price Index and appropriates revenues for certain transportation projects. The provisions for the road toll adjustment are repealed upon completion of the bonding for the widening of Interstate 93 project. The bill eliminates certain ramp tolls on the Everett turnpike in the town of Merrimack. The bill also establishes a committee to study the effectiveness and efficiency of the department of transportation.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT requiring adjustment of the road toll according to changes in the Consumer Price Index, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack, and establishing a committee to study the effectiveness and efficiency of the department of transportation.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 17:1 Road Toll; Adjustment. Amend the introductory paragraph of RSA 260:32 to read as
2 follows:

3 260:32 Levy of Tolls and Exemptions. There is hereby imposed a road toll of \$.18 per gallon
4 upon the sale of each gallon of motor fuel sold by distributors thereof, ***as adjusted according to***
5 ***RSA 260:32-a***. The road toll shall be collected by the distributor from the purchaser and remitted to
6 the state in the manner hereinafter set forth. ***All revenues collected from adjustments under***
7 ***RSA 260:32-a for rates that exceed \$.18 per gallon shall be nonlapsing and continually***
8 ***appropriated to, and expended exclusively by, the department of transportation in***
9 ***accordance with RSA 260:32-b***. Provided, that the road toll shall not apply to:

10 17:2 Road Toll; Prospective Amendment. The introductory paragraph of RSA 260:32 is repealed
11 and reenacted to read as follows:

12 260:32 Levy of Tolls and Exemptions. There is hereby imposed a road toll of \$.18 per gallon
13 upon the sale of each gallon of motor fuel sold by distributors thereof. The road toll shall be collected
14 by the distributor from the purchaser and remitted to the state in the manner hereinafter set forth.
15 Provided, that the road toll shall not apply to:

16 17:3 New Sections; Motor Vehicle Laws; Adjustment of Road Toll; Expenditure of Certain Road
17 Toll Revenue. Amend RSA 260 by inserting after section 32 the following new sections:

18 260:32-a Adjustment of Road Toll; Publication. The rate for the levy of the road toll under
19 RSA 260:32 shall be adjusted as follows:

20 I. The rate for the levy of the road toll under RSA 260:30 shall be adjusted, effective July 1,
21 2014, by multiplying the effective rate during the prior 12-month period by a fraction, the numerator
22 being the annual average CPI for the year 2013 and the denominator being the annual average CPI
23 for the year 2003.

24 II. The road toll adjustment required in paragraph I shall be calculated by the state
25 treasurer and forwarded to the governor, president of the senate, speaker of the house of

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1 representatives, and the commissioner of the department of safety at least 30 days before the
2 effective date of any road toll adjustment. The commissioner of the department of safety shall
3 publish statewide the adjusted road toll rate. The state treasurer shall make the CPI and adjusted
4 road toll calculations to 3 decimal places.

5 III. In this section, “CPI” means the United States Bureau of Labor Statistics Consumer
6 Price Index for All Urban Consumers, all items, not seasonally adjusted, for the Boston, Brocton,
7 Nashua; MA-NH-ME-CT area.

8 260:32-b Expenditure of Certain Road Toll Revenue.

9 I. For the fiscal year ending June 30, 2015, expenditure of revenues collected from
10 adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less required “Apportionment
11 A” distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in
12 the following order of priority:

13 (a) \$12,000,000 shall be expended for the district rehabilitation program with said funds
14 to be distributed equally among the 6 state highway districts.

15 (b) \$13,200,000 shall be expended for the district resurfacing program with said funds to
16 be distributed equally among the 6 state highway districts.

17 (c) All remaining funds shall be for the purpose of state bridge aid for municipal bridges
18 under RSA 234.

19 II. For the fiscal year ending June 30, 2016, expenditure of revenues collected from
20 adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less required “Apportionment
21 A” distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in
22 the following order of priority:

23 (a) Debt service payments for bonds issued pursuant to RSA 6:13-d.

24 (b) \$8,100,000 shall be expended for the district rehabilitation program with said funds
25 to be distributed equally among the 6 state highway districts.

26 (c) \$13,200,000 shall be expended for the district resurfacing program with said funds to
27 be distributed equally among the 6 state highway districts.

28 (d) In addition to sums otherwise appropriated, \$6,800,000 for state bridge aid for
29 municipal bridges under RSA 234.

30 (e) All remaining funds deposited into the highway and bridge betterment account under
31 RSA 235:23-a.

32 III. For the fiscal year ending June 30, 2017 and each fiscal year thereafter, expenditure of
33 revenues collected from adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less
34 required “Apportionment A” distributions under RSA 235:23, I on said revenues, shall be made for
35 the following purposes in the following order of priority:

36 (a) Debt service payments for bonds issued pursuant to RSA 6:13-d.

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1 (b) In addition to sums otherwise appropriated, \$6,800,000 for state bridge aid for
2 municipal bridges under RSA 234.

3 (c) All remaining funds deposited into the highway and bridge betterment account under
4 RSA 235:23-a.

5 17:4 New Section; Authority to Issue Bonds; Highway Fund. Amend RSA 6 by inserting after
6 section 13-c the following new section:

7 6:13-d Authority to Borrow; Certain Transportation Projects.

8 I. The state treasurer, as may be requested from time to time by the commissioner of the
9 department of transportation, is hereby authorized to borrow upon the credit of the state not
10 exceeding the sum of \$200,000,000 and shall issue general obligation bonds in the name and on
11 behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A, to provide funds
12 for the widening of Interstate 93 from Salem, New Hampshire to Manchester, New Hampshire.

13 II. Payment of principal and interest on the bonds issued under paragraph I shall be paid
14 when due from the highway funds collected and appropriated in accordance with RSA 260:32-a for
15 rates that exceed \$.18 per gallon and expended in accordance with RSA 260:32-b.

16 17:5 Prospective Repeals. The following are repealed:

17 I. RSA 260:32-a, relative to the adjustment of road toll.

18 II. RSA 260:32-b, relative to expenditure of certain road toll revenue.

19 III. RSA 6:13-d, relative to authority to borrow for certain transportation projects.

20 17:6 Contingency. Sections 2 and 5 of this act shall take effect on the date the state treasurer
21 certifies to the governor, the senate president, the speaker of the house of representatives, the
22 commissioner of the department of safety, the director of the office of legislative services, and the
23 secretary of state that the bonds authorized in RSA 6:13-d are paid in full, or 20 years after the
24 initial issuance of such bonds, whichever is earlier.

25 17:7 Department of Transportation; Everett Tolls Eliminated. Notwithstanding any law to the
26 contrary, the commissioner of the department of transportation shall eliminate the northbound and
27 southbound ramp tolls for exit 12 on the Everett turnpike in the town of Merrimack.

28 17:8 Committee Established.

29 I. There is established a committee to study the effectiveness and efficiency of the
30 department of transportation.

31 II.(a) The members of the committee shall be as follows:

32 (1) Three members of the house finance committee, at least one of whom shall be a
33 member of the minority party, appointed by the speaker of the house of representatives.

34 (2) Three members of the senate finance committee, at least one of whom shall be a
35 member of the minority party, appointed by the president of the senate.

36 (b) Members of the committee shall receive mileage at the legislative rate when

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1 attending to the duties of the committee.

2 III. The committee shall:

3 (a) Review the department of transportation's statutory duties and responsibilities.

4 (b) Review whether the department is effectively and efficiently fulfilling its statutory
5 obligations.

6 (c) Review whether the department's current sources of funding are adequate to enable
7 the department to fulfill its statutory obligations.

8 (d) Study successful practices and administrative models of other state's departments of
9 transportation and identify best practices or models that may increase effectiveness and efficiency in
10 New Hampshire.

11 (e) Review whether the department is maximizing its resources by working cooperatively
12 with other state agencies and private entities, where appropriate.

13 IV. The members of the study committee shall elect a chairperson from among the members.
14 The first meeting of the committee shall be called by the first-named senate member. The first
15 meeting of the committee shall be held within 30 days of the effective date of this section. Four
16 members of the committee shall constitute a quorum.

17 V. The committee shall report its findings and any recommendations for proposed legislation
18 to the president of the senate, the speaker of the house of representatives, the senate clerk, the
19 house clerk, the governor, and the state library on or before December 1, 2014.

20 17:9 Effective Date.

21 I. Sections 1 and 3 of this act shall take effect on July 1, 2014.

22 II. Sections 2 and 5 of this act shall take effect as provided in section 6 of this act.

23 III. Section 4 of this act shall take effect July 1, 2015.

24 IV. Section 7 of this act shall take effect 60 after its passage.

25 V. The remainder of this act shall take effect upon its passage.

26 Approved: May 20, 2014

27 Effective Date: I. Sections 1 and 3 shall take effect July 1, 2014.

28 II. Sections 2 and 5 shall take effect as provided in section 6.

29 III. Section 4 shall take effect July 1, 2015.

30 IV. Section 7 shall take effect July 19, 2014.

31 V. Remainder shall take effect May 20, 2014.