

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 ENROLLED ACT No. 1104

AN ACT to amend the Indiana Code concerning transportation.

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

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

Chapter 29. Transportation Infrastructure Funding Mechanisms

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

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

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

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

(B) An option that accounts for variations in usage and degree of damage caused to transportation infrastructure by vehicles of different sizes and configurations.

(C) A flat per vehicle fee.

(D) Adjustments to one (1) or more of the following:

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

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- (ii) The gasoline tax imposed under IC 6-6-1.1.
- (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.

(2) The duration of the study, which must be an adequate length of time to ensure that a quality and comprehensive analysis of all topics will be thoroughly reviewed, but is not to exceed two (2) years.

(3) An inventory of the transportation infrastructure that will be maintained through revenue generated by the funding mechanisms included in the study. The inventory must include state and local highways, roads, and streets.

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

Sec. 3. The study must do the following:

(1) Review the literature of similar studies conducted in other jurisdictions.

(2) Determine the costs of maintaining the transportation infrastructure designated in the contract under the rating system designated in the contract.

(3) For each mechanism studied, calculate the per unit amount required to generate revenue sufficient to cover the costs described in subdivision (2).

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

(A) Privacy.

(B) Ease of use.

(C) Compliance.

(D) Revenue collection costs.

(5) Evaluate the effects of each funding mechanism on alternative fuel and advanced technology vehicles.

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

Sec. 4. Not later than July 1 of each year of the study, the department shall provide the results of the study to date in an electronic format under IC 5-14-6 to the following:

(1) The joint study committee on transportation and infrastructure assessment and solutions established by



IC 2-5-28.5-2.

(2) The legislative council.

(3) The governor.

Sec. 5. The department shall pay the amount necessary for the study out of any funds available for the purpose.

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.

SECTION 2. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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