

SENATE FILE NO. SF0102

I-80 tolling.

Sponsored by: Senator(s) Case

A BILL

for

1 AN ACT relating to highways; granting powers to the  
 2 transportation commission; defining duties of the  
 3 transportation commission and the department of  
 4 transportation; creating a program for the planning and  
 5 implementation of tolling on Interstate 80; providing for  
 6 the review of tolling plans; providing rulemaking  
 7 authority; allowing assistance between state agencies; and  
 8 providing for an effective date.

9

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

11

12 **Section 1.** W.S. 24-16-101 through 24-16-106 are  
 13 created to read:

14

15

CHAPTER 16

16

INTERSTATE 80 TOLLING

17

1           **24-16-101. Purpose.**

2

3   In order to finance, construct, operate and maintain  
4   Interstate 80 and accommodate the needs of the traveling  
5   public through safe, efficient, convenient and modern  
6   vehicular traffic, tolling of Interstate 80 in Wyoming may  
7   become necessary. For this purpose, the legislature  
8   directs the Wyoming transportation commission to prepare  
9   for a tolling program for Interstate 80. This act is  
10  intended to direct the commission to investigate all  
11  options by which Interstate 80 could be converted into a  
12  toll highway and to work towards a safe interstate which  
13  consists of three (3) lanes in each direction where  
14  commercial vehicles are restricted to two (2) lanes and  
15  tolls are based upon a vehicle's impact on the roadway.  
16  This act is intended to provide the commission with the  
17  authority to work with the federal government to obtain all  
18  necessary authorizations to meet this act's tolling  
19  purpose. This act is intended to prepare the state for  
20  tolling on Interstate 80. However, further legislative  
21  approval is necessary before tolling is authorized.

22

23           **24-16-102. Definitions.**

24

1 (a) As used in this act:

2

3 (i) "Alternative design and construction  
4 delivery methods" means design and construction services as  
5 defined in W.S. 16-6-701;

6

7 (ii) "Commercial vehicle" means as defined by  
8 W.S. 31-18-101(a)(iii);

9

10 (iii) "Commission" means the Wyoming  
11 transportation commission;

12

13 (iv) "Construct" or "construction" means the  
14 planning, designing, engineering, right-of-way acquisition,  
15 installation, construction or reconstruction of Interstate  
16 80;

17

18 (v) "Department" means the department of  
19 transportation;

20

21 (vi) "Interstate 80" means the entire length of  
22 Interstate 80 in Wyoming, or as specifically designated in  
23 the project master plan;

24

1           (vii) "Local government" means a municipal or  
2 county government;

3

4           (viii) "Project" means an existing highway or  
5 additional lane capacity that is part of Interstate 80 and  
6 related highway improvements, maintenance and services and  
7 all matters related to the imposition and collection of  
8 tolls on Interstate 80;

9

10           (ix) "Project master plan" means a comprehensive  
11 plan for the project as required by this act and which must  
12 be presented to the legislature for approval;

13

14           (x) "Toll" means compensation paid for the use  
15 of Interstate 80, or any part thereof, by vehicular or  
16 other traffic;

17

18           (xi) "Toll revenues" means all revenues  
19 generated by the project;

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21           (xii) "This act" means W.S. 24-16-101 through  
22 24-16-106.

23

24           **24-16-103. Toll highway project master plan; review.**

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2           (a) The commission shall develop a project master  
3 plan for the project that describes, but is not limited to:

4

5           (i) The goals for the project;

6

7           (ii) The physical project description;

8

9           (iii) The construction phasing and estimated  
10 capital costs;

11

12           (iv) Due to the potential size and complexity of  
13 the project, alternative design and construction delivery  
14 methods if the chief engineer of the department determines  
15 that using such methods is advisable;

16

17           (v) The tolling approach and toll rate structure  
18 based to the extent possible and reasonable on the impact  
19 of each vehicle type on the roadway;

20

21           (vi) The options for providing reduced-cost and  
22 cost-free access for resident drivers and drivers who drive  
23 less than thirty (30) miles on Interstate 80 in any twenty-  
24 four (24) hour period;

1

2 (vii) The options for restricting commercial  
3 vehicles to the use of only two (2) lanes in each direction  
4 of Interstate 80;

5

6 (viii) The operations and maintenance plans;

7

8 (ix) The toll revenue projections and financial  
9 plans;

10

11 (x) A plan for using toll revenues to construct  
12 a new lane of roadway in each direction across the entire  
13 length of Interstate 80, including plans that would assume  
14 that only two (2) lanes would be available for commercial  
15 vehicles;

16

17 (xi) Identification of persons or entities  
18 exempt from toll fees or toll requirements;

19

20 (xii) The option of establishing a program which  
21 would provide impact assistance to local governments  
22 negatively impacted by tolling on Interstate 80;

23

1           (xiii) An outreach program utilizing the  
2 department's public consultative policy for public  
3 outreach;

4  
5           (xiv) Any other federally required information.

6  
7           (b) The commission shall submit the project master  
8 plan to the joint transportation, highways and military  
9 affairs interim committee on or before December 1, 2013.  
10 On or before December 1 of each year thereafter, the  
11 commission shall submit a report to the joint  
12 transportation, highways and military affairs interim  
13 committee detailing progress in implementing the project  
14 master plan.

15

16           **24-16-104. Powers and duties of the commission.**

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18           (a) In addition to their existing powers, the  
19 commission shall have the following powers and duties  
20 regarding the project:

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22           (i) To direct and advise the department;

23

1           (ii) To develop and present for approval the  
2 project master plan as required by this act;

3

4           (iii) To employ or contract for the services of  
5 consultants for the rendering of professional, financial  
6 and technical assistance and advice;

7

8           (iv) To set and adopt a budget for the project;

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10           (v) To contract for and accept any gifts or  
11 grants or loans of funds or property or financial or other  
12 aid in any form from the federal government or any agency  
13 or instrumentality thereof, or from any other source;

14

15           (vi) To apply for authorization or otherwise  
16 take any action necessary to obtain authorization to toll  
17 Interstate 80 consistent with the project master plan.

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19           **24-16-105. Rulemaking authority.**

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21 The commission and the department shall have the authority  
22 to promulgate rules and regulations necessary for the  
23 project and to carry out their obligations and duties under  
24 this act.



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2           **23-16-106. Assistance by state agencies.**

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4 Upon request of the commission, any state agency may lend  
5 technical assistance, render advice and attend meetings  
6 with the directors and employees of the commission, the  
7 department or private persons as the commission requires in  
8 carrying out its functions and duties under this act.

9

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

14

15

(END)