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U.S. Senate Passes HIRE Act, But Larger Objective Needs Support



On Wednesday morning this week, the U.S. Senate passed, by a vote of 68-29, the HIRE Act, (HR 2847) which extends the highway program until December 31, 2010. Moreover, the measure also transfers \$19.5 billion into the Highway Trust Fund (HTF) and fully restores the rescission that took effect at the end of SAFETEA-LU on September 30, 2009. The bill also extends the popular Build America bonds program.

Kentucky U.S. Senators McConnell and Bunning voted “nay.” Eleven Republicans (out of 41) in the Senate, voted for passage. Two Democrats (out of 57) in the Senate, voted against passage. Three Senators did not vote. There were only 8 “split” states, a situation where one Senator voted “aye” and the other Senator voted “nay.” Those split states were Indiana, Iowa, Mississippi, Nevada, New Hampshire, Oklahoma, South Dakota and Tennessee.

The infusion of \$19.5 billion into the HTF from the U.S. Treasury will effectively keep it solvent into the next calendar year. In addition, by fully-restoring funding in highway contract authority to the states that was rescinded at the end of Federal fiscal year 2009 (September 30, 2009), states will now receive previously-promised funds, amounting to **\$8.7 billion**, nationwide.

KBT believes that this Senate action will go a long way to providing the Kentucky Transportation Cabinet (KYTC) with the certainty it needs to begin aggressively letting contracts for the upcoming construction season.

At the same time, we must keep our eye on the larger objective, which is the passage of a robust, multi-year highway and public transit authorization bill. Now more than ever, KBT members should plan to attend the KBT Washington, D.C. Fly-In on May 19 and May 20.

Multi-Year FAA Reauthorization Act Moving..... Then Not

Facing a March 31 extension deadline, considerable progress has been made in the U.S. Senate in the past two weeks on the FAA Reauthorization Act. The last FAA multi-year reauthorization bill expired nearly three years ago. In fact, the government entity that regulates flight operations across the U.S. is **now operating on its 11th short-term extension**. Those involved with aviation are hopeful that it will finally move to a successful conclusion and resolve the uncertainties hanging over their business, similar to that of the highway and public transit bill which passed the U.S. Senate this week.

But on Wednesday, it became clear that the FAA reauthorization couldn't be completed by its March 31 deadline, and so the House and Senate leaders agreed to give the FAA another 90-day extension.

Work will continue on the new reauthorization bill, with the hope that both the House and Senate versions can pass before a new June 30 deadline.

A major concern for airports has been the ability to raise passenger facility charges, also known as PFCs, **for the first time in a decade**. Currently locked in at a maximum \$4.50 per one-way trip, some airport supporters are arguing for the maximum PFC charge to be increased to \$7 or \$7.50 per one-way trip. Kentucky's airport managers believe a likely compromise between the House and Senate in a Conference Committee will "split the difference" between the current charge of \$4.50 and a \$7.50 per one-way trip.

Airports use the PFC funds, along with other FAA grants, to undertake capital improvement projects, such as runway projects, new passenger screening facilities, and baggage screening facilities. Without the long-term reliability that comes from a multi-year reauthorization, airports have been reluctant to undertake improvements. Runways can easily cost \$100 to \$200 million, and passenger screening or baggage screening facilities can range from \$20 million to over \$50 million. Those large capital costs make it impossible to plan in "three-month chunks."

Another nagging issue in the reauthorization is the question of who should pay to fund the high-tech Next Gen satellite-based navigation. The FAA admits that the technology, known as Automatic Dependent Surveillance Broadcast, or ADS-B, will make flying safer and enable controllers to accommodate more commercial and private jets in the sky. The Senate bill mandates that aircraft owners buy the equipment, but both the Senate and House version don't include direct funding -- between \$2 billion and \$4 billion to pay for it.

ADS-B uses a GPS technology to broadcast a plane's speed and location, and it provides the aircraft with highly-sophisticated weather data currently not available to pilots. The technology was pioneered in Alaska, where, logically, the mountainous terrain prevented the installation of ground-based radar stations. It has been recently implemented in Houston to track helicopters and planes over oil rigs in the Gulf of Mexico.

KBT believes that airlines should be rewarded for their investment in this state-of-the art equipment. The new system includes avionics and pilot training that allows them to fly more direct routes. **If it is not installed, the net loser will be the U.S. economy, which suffers from diminished productivity because we continue to cling to a 60-year old, radar-based, ground-based, air traffic system.**

KBT Highway Committee Meets in Frankfort

Last Friday, March 12, nearly 40 members of the KBT Highway Committee attended a luncheon meeting chaired by Committee Chair Richard Sutherland (ENTRAN) in Frankfort. Sutherland invited State Rep. Sannie Overly (Paris), Chair, Budget Review Subcommittee on Transportation, to address the group.

Rep. Overly emphasized that the current 6-year Road Plan was over-programmed and unrealistic and that her Subcommittee was determined to have a **real** Road Plan, with projects included in it that would



Rep. Sannie Overly and Richard Sutherland

be built in a timely fashion. She noted that the House-passed Road Plan did not have a lot of new projects in it, because one of her Subcommittee's goals was "to get a Road Plan to make sense."

Overly is no stranger to the world of transportation. A graduate of UK, she is a civil engineer and earned a fellowship/scholarship to intern at KYTC while in undergraduate school. Since attending UK, she has also earned her Juris Doctor law degree from the University of Louisville.

Rep. Overly closed with a comment of caution, noting that the House-passed Road Plan was only the second-step of a five-step legislative process. "If you like what you see, don't celebrate. If you don't like it, don't worry, because it will change," Overly quipped.

Following her remarks, the KBT Highway Committee reviewed its historical state and federal policy positions. The Committee is recommending language to strengthen its federal policy position, which will be considered by the KBT Board of Directors in April.

Louisville-Southern Indiana Bridges Authority "Ratified"

On Wednesday afternoon, supporters of the newly-organized Louisville-Southern Indiana Bridges Authority received a tremendous vote of confidence from the Kentucky House of Representatives. By a commanding vote of 88-3 (9 not voting), **Senate Joint Resolution 169** was approved, ratifying the formation of the Bridges Authority. The bill contained an emergency clause, so as soon as Governor Beshear signs the bill into law, it's effective.

One remaining legislative item for the Louisville-Southern Indiana Bridge Authority is that the Kentucky Senate must vote to approve the appointments of Governor Beshear to the Authority. Typically, appointments are approved by the Senate on the last, waning days of a General Assembly, so that action may not occur until April 12, 13 or 14.

SJR 169 was sponsored by Senate President David Williams (Burkesville). Williams was one of the original legislators to embrace the concept of establishing infrastructure authorities for mega-projects.

"Your Own License Plate" System Seems Likely To Become Law



Sen. Ernie Harris



Rep. Hubert Collins

The Senate – Transportation Committee, chaired by Sen. Ernie Harris (Crestwood) approved HB 470 on Wednesday, by the unanimous vote of 11-0. The bill creates a new vehicle licensing system in Kentucky, effective January 2013, where the license plate stays with the vehicle owner, or customer, when vehicles are bought and sold.

Because the bill received a unanimous vote in the Senate Committee, it will be referred to the accelerated consent

calendar in the coming week, where it will likely be “bundled together” with 20 to 40 other non-controversial bills, and approved unanimously again.

Supporters of the new “license to customer” system include Kentucky’s car dealers, the County Clerks, and law enforcement officials. Clearly, the new system will make it much easier for law enforcement agencies to track drivers who are driving on an expired or suspended driver’s license, not to mention tracking drivers with numerous unpaid driving/parking infractions.

HB 470 is sponsored by House Transportation Committee Chair Hubert Collins (Wittensville). The proposed new license program has been developed and managed by the new Commissioner of the Department of Vehicle Regulation, Tom Zawacki, a retired Toyota executive. Some 36 states already use the “license to customer” system.

Two-Year Budget, Two-Year Road Plan and Revenue...Diverted

This week, the Kentucky Senate received the proposed \$17.5 billion two-year budget (HB 290), along with the two-year Road Plan (HB 292), and revenue proposals to pay for it (HB 530) from the House of Representatives.

The Session is a long-way from being over, but a disturbing trend has surfaced this week, namely **diversion of road fund dollars continues to increase, a practice opposed by KBT members.**

In fact, these are all-time, record “high” diversions, a troubling trend.

In the original budget proposed by Governor Beshear, **\$77.6 million** would be diverted to the Kentucky State Police (KSP) in FY 11, and **\$80.0 million** would be diverted in FY 12.

The House proposes to divert **\$79.8 million** to the KSP in FY 11, and **\$83.3 million** in FY 12, **an increase of \$2.2 million** in the first year over the Governor’s recommendation, and **a \$3.3 million increase** over the Governor’s recommendation in the second year.

At this writing, it is unclear how the Senate will deal with this thorny issue. To put this in perspective, we remember, clearly, at the end of the Patton Administration, that the annual diversion from the Road Fund to KSP was **\$30 million to \$35 million...just six or seven years ago.**

If you feel strongly about this dramatic growth in diverted funds OUT of the Road Fund, speak with your state House and Senate member...and soon. If you phone Frankfort (toll free) at **1-800-372-7181**, you can leave a recorded message for your legislators, and they will receive a written paper message (called a green slip) that you phoned and the message you left.

An even more effective way to communicate with your state House and Senate member...make a point of seeing them...face-to-face... on Friday night, all day Saturday, or all day Sunday, when they are home for the weekend. They are YOUR legislators. They really do want to hear from you.

**Road Fund -- Where It Goes
FY 09 - FY 12**

| | FY 09 Actual | FY 10 Revised | FY 11 Governor Proposed | FY 12 Governor Proposed | FY 11 House Proposed | FY 12 House Proposed |
|--|-------------------------|--------------------------|--|--|-------------------------------------|-------------------------------------|
| State Police and Other Non KYTC Agencies | 77,756,489 | 77,756,500 | 81,474,500 | 83,826,500 | 83,674,500 ¹ | 87,126,500 ¹ |
| Aviation Admin./Grants | 8,519,950 | 6,614,300 | 1,983,600 | 2,017,400 | 2,280,100 | 2,865,900 |
| General Admin. & Support | 64,587,024 | 69,777,900 | 71,405,200 | 72,031,100 | 68,791,100 | 69,188,100 |
| <i>Revenue Sharing</i> | 1,984,830 | 1,592,500 | 1,677,900 | 1,702,800 | 1,612,300 | 1,633,900 |
| Rural Secondary | 137,625,550 | 130,490,000 | 136,084,400 | 143,144,000 | 136,084,400 | 143,144,000 |
| County Road Aid | 109,703,839 | 107,566,000 | 112,177,600 | 117,997,000 | 112,177,600 | 117,997,000 |
| Municipal Aid | 43,681,970 | 45,260,000 | 47,200,400 | 49,649,000 | 47,200,400 | 49,649,000 |
| Debt Service * | 118,862,848 | 54,278,000 | 68,056,000 | 104,005,300 | 65,812,000 | 102,228,300 |
| Federal Aid Match | 26,104,632 ² | 40,181,600 ² | 40,254,700 ² | 40,326,900 ² | 40,254,700 ² | 40,326,900 ² |
| Maintenance | 299,987,356 | 323,212,500 | 342,200,700 | 352,592,300 | 323,212,500 | 323,212,500 |
| State Construction | 234,660,225 | 140,236,600 | 157,988,300 | 167,613,200 | 177,117,600 | 200,641,300 |
| Contingency Account | 14,796,110 | 31,000,000 | 31,000,000 | 31,000,000 | 31,000,000 ³⁴⁶ | 31,000,000 ³⁴⁶ |
| Resurfacing | 94,532,215 | 97,000,000 | 97,000,000 | 97,000,000 | 97,000,000 | 97,000,000 |
| Vehicle Regulation | 16,741,953 | 22,755,100 | 23,128,600 | 23,450,700 | 22,648,200 | 22,889,200 |
| Highway Operations | 22,198,316 | 24,771,500 | 26,258,000 | 26,883,500 | 25,258,000 | 25,623,500 |
| Capital Construction | 13,927,000 | 4,150,000 | 10,125,000 | 4,650,000 | 10,125,000 | 4,650,000 |
| Judgments and Other | 11,427,570 | 22,457,500 | 23,579,900 ⁶⁷ | 24,006,300 ⁶⁷ | 22,546,400 ⁶⁷ | 22,719,900 ⁶⁷ |
| Total | 1,297,097,878 | 1,199,100,000 | 1,271,594,800 | 1,341,896,000 | 1,266,794,800 | 1,341,896,000 |

* Reduced for planned Build America Bonds Subsidy.

1. Includes \$79,799,500 in FY 11 and \$83,251,500 in FY 12 for State Police.
2. Cabinet is authorized to use state construction money or toll credits to match federal highway moneys.
3. Includes \$5.0 million each year to Kentucky Pride from the Highway Construction Contingency Account.
4. Includes up to \$350,000 in FY 11 in dollar-for-dollar matching funds for the Northern Kentucky Port Authority for the Ohio River Bank Stabilization Study. It also includes up to \$2.0 million in FY 11 and FY 12 in dollar-for-dollar matching funds for the shortline railroad assistance funding all from the Highway Construction Contingency Account.
5. Authorizes \$260,000 in FY 11 from the Highway Construction Contingency Account for transportation enhancements for the Farnsely-Moreman Landing/Aydelotte project.
6. Judgments will be paid from the State Construction Account.
7. Authorizes Carry Forward of Appropriation balances unexpended in the Highways budget unit for Construction program, the Maintenance program, the Equipment Services program and the Research program in the 2009-2010 and 2010-2011 fiscal years, up to the amount of ending cash balances and unissued Highway Bond Funds and grant balances.
8. Authorizes \$56.0 million in FY 11 and FY 12 in Economic Development Bonds for BRAC activities in and around Fort Knox.
9. Authorizes \$300 million in FY 12 in Economic Development Bonds to support projects in the Biennial Highway Construction Plan.

| Road Fund -- Where It Comes From FY 09 - FY 12 | | | | | | |
|---|-------------------------|--------------------------|--|--|-------------------------------------|-------------------------------------|
| | FY 09 Actual | FY 10 Revised | FY 11 Governor Proposed | FY 12 Governor Proposed | FY 11 House Proposed | FY 12 House Proposed |
| Motor Fuels & MF Use/ Surtax | 622,479,527* | 655,600,000* | 680,800,000 | 712,600,000 | 680,400,000 | 712,200,000 |
| Motor Vehicle Usage & Rental | 336,365,685 | 328,600,000 | 367,700,000 | 398,100,000 | 367,700,000 | 398,100,000 |
| Truck License (state share) | 15,475,669 | 15,600,000 | 15,700,000 | 15,800,000 | 15,700,000 | 15,800,000 |
| Truck Proportional Registration | 38,026,916 | 34,090,000 | 34,590,000 | 34,090,000 | 34,590,000 | 34,090,000 |
| Passenger Car License | 40,012,890 | 38,182,330 | 38,573,330 | 38,985,330 | 38,573,330 | 38,985,330 |
| Weight Distance Tax | 75,444,283 | 70,400,000 | 77,400,000 | 84,800,000 | 77,400,000 | 84,800,000 |
| Tolls | 0 | 0 | 0 | 0 | 0 | 0 |
| Investment | 10,661,790 | 3,900,000 | 1,400,000 | 1,300,000 | 1,400,000 | 1,300,000 |
| Other | 53,516,134 | 52,742,070 | 55,456,620 | 56,231,400 | 55,856,620 | 56,631,400 |
| Actions of the RS 2010 General Assembly | | | | | -4,800,000 | |
| Total Road Fund | 1,191,982,894 | 1,199,114,400 | 1,271,619,950 | 1,341,906,730 | 1,266,819,950 | 1,341,906,730 |
| <p>Note: The amounts are based on the December 2009 forecast unrounded and other contains an FY 11 & FY 12 fund transfer to the Road Fund in the amount of \$994,800 and \$996,000 in each respective fiscal year.</p> <p>* Does not include the money diverted to the Petroleum Storage Tank Assurance Fund.</p> | | | | | | |

Distracted Driving Bill To Advance In Senate?



Sen. Denise Harper Angel



Sen. Tom Jensen

On Thursday morning, the Senate-Judiciary Committee met to discuss and act on 9 bills. SB 23, an act to prohibit texting sponsored by Sen. Denise Harper Angel (Louisville) was discussed in Committee, but no formal vote was taken.

Senate-Judiciary is chaired by Sen. Tom Jensen (London) and because this proposal is only limited to texting --- cell phone conversations would not be prohibited --- KBT believes it may see more action in the coming days in the Senate.

As currently written, SB 23 provides for a “courtesy warning” to those who violate the texting ban in a moving vehicle between now and November 1, 2010. After November 1, fines would be \$100 for the first offense, and not less than \$100 nor more than \$300 for subsequent offenses.

In the past 4 months, the number of states with texting bans has jumped from 14 to 19. Currently, state legislatures in Massachusetts and Florida are considering legislation to ban texting while the vehicle is in motion.

Selected State Legislation of Interest to KBT Members

(as of Friday, March 19, 2010)

(Updated status of bills available at www.lrc.kv.gov)

Administrative

HB 363 (Rep. Collins) Eliminate out-dated statutory requirement that vehicle title information be kept and stored on microfilm; allow for other methods of storage. **KBT Support.** To House – Transportation Committee. **Passed favorably from Committee on 2/9. To House floor. Passed House 98-0 on 2/17. To Senate – Transportation Committee. Passed favorably from Committee on 3/10 by vote of 11-0. Add provision to eliminate \$7 registration fee of motorcycle sidecars. To Senate floor and Consent Calendar on 3/11. Scheduled for Senate floor vote on 3/18, 3/19 or 3/22.**

Airports

HB 183 (Rep. Wayne) Create new tax credit for residential noise abatement in airport runway corridor areas. **KBT monitor.** To Approp. & Revenue Committee on January 6.

Auto Dealerships

HB 217 (Rep. Lee) Prohibit the granting of a license for a new auto dealership if located within a 10-mile radius of former dealership that was forced to close when franchise was revoked by manufacturer. **KBT monitor. Passed House Transportation on 1/26; to House Floor. Passed House 98-0 on 2/2. To Senate. Received in Senate on 2/3. To Senate – Transportation Committee on 2/5. Passed favorably out of Committee on 3/17 by vote of 11-0; To Senate floor on Consent Calendar on 3/19.**

HB 297 (Rep. Lee) Establish standards for 501(c)3 non-profit motor vehicle dealers (e.g. Goodwill, Salvation Army, etc.) to both purchase and sell motor vehicles; require that purchase and sale only for “clients;” define “clients” in narrow manner. Supported by Ky. Auto Dealers Assoc. **KBT monitor. Passed House Transportation on 2/2; to House Floor on consent. Passed House 99-0 on 2/10. To Senate – Transportation Committee. Passed favorably from Committee on 3/10 by vote of 11-0. To Senate floor and Consent Calendar on 3/11. Passed Senate 38-0 on 3/18.**

Bidding and State Contracting Practices

SB 45 (Sen. Tapp) Give preference to Ky. bidders in state government projects; establish bidders must have at least one year residence in state. **KBT monitor.** To Senate – State & Local Government. **Passed favorably from Committee on 1/20. To Senate Floor. Passed Senate 38-0 on 1/28. To House – State Government Committee. Passed favorably out of Committee on 2/25; To House floor. Recommitted to House – State Govt. Committee on 3/3. Passed favorably from Committee on 3/11; To Senate floor on Consent Calendar on 3/12; removed from Consent Calendar on 3/15.**

Distracted Driving, Inattentive Driving, Text/Cell Phone Usage While Driving

HB 27 (Rep. Nelson) Prohibits cell phone usage by any driver under the age of 18, but prohibits texting while driving for all drivers, regardless of age; probationary period through November 1, 2010; fine after probationary period is \$50 per offense. **KBT Support.** To House Transportation Committee on January 6. (No further action likely on this bill, as HB 43 or SB 23, below, will be the active legislation.)

HB 43 (Rep. Richards) Prohibits texting while driving for all ages; prohibits text and cell phone use for drivers under 18; probationary period ends November 1, 2011 during which time warnings are issued; fines after probationary period are \$20 to \$100 for each offense. **KBT Support. Passed House Transportation Committee on 1/26; To House Floor. Passed House 80-16 on 2/4 with House floor amendment requiring vehicle to be in motion to constitute a violation. To Senate. To Senate-Judiciary Committee on 2/8.**

HB 232 (Rep. Burch) Prohibits cell usage of both verbal and text communications while driving; warning for first violation; fines between \$20 and \$100 for subsequent offenses. **KBT Support. Failed in House Transportation Committee on 1/26; No further action likely.**

SB 23 (Sen. Harper Angel) Prohibits texting, instant messaging, and e-mailing while driving; probationary period ends November 1, 2010 during which time warnings are issued; fines after November 1, 2010 are set at \$100 for first offense and not less than \$300 for subsequent offenses. If violation results in auto accident, fines are to be less than \$200 and no more than \$600. **KBT Support. To Senate Judiciary Committee on January 6. Testimony heard in favor of bill in Committee on 3/18, but vote not taken.**

DUI Legislation

HB 58 (Rep. Keene) (**54 co-sponsors!!**) Require ignition interlock usage beginning with first DUI; require offender to drive with interlock equipped work vehicle as well; require interlock usage while offender is driving on a hardship license. **KBT Support.** To House Judiciary Committee on January 6; reassigned to Approp. & Revenue Committee on January 26. **Passed 22-0 out of Approp. & Revenue Committee on 2/9. To House Floor. Passed House 95-0 on 2/18. To Senate – Judiciary Committee on 2/22.**

HB 121 (Rep. Harmon) Expand look-back period from 5 years to 10 years for prior offenses; allow for forfeiture of motor vehicle in DUI if operator's license has been suspended previously. **KBT Support.** To House Judiciary Committee on January 5.

SB 144 (Sen. Jones) Establish a per se violation of DUI statutes if driver has controlled substances in blood; reduce required alcohol concentration for aggravating circumstances from 0.18 to 0.15. **KBT Support.** To Senate Judiciary. **Passed favorably out of Senate Judiciary on 2/11. To Senate floor. Passed Senate 34-2 on 2/18. To House – Judiciary Committee on 2/22.**

Highways, Streets & Bridges

HB 24 (Rep. Richards) Provide local entities (tourist agencies, etc.) authority to purchase a “brown sign” for local tourist and historical sites. Signs still must be approved, installed by Transportation Cabinet. **KBT monitor. Passed House Transportation on 1/26; to House Floor on consent. Passed House 95-0 on 2/3; To Senate. To Senate – Transportation. Passed favorably out of Committee on 3/3 by vote of 11-0; To Senate floor on Consent Calendar. Passed Senate 36-0 on 3/11. Signed by Speaker of the House; Signed by Senate President. Delivered to Governor on 3/15.**

HB 267 (Rep. Thompson) Extend the sunset date from June 30, 2010 to August 31, 2010 for the \$25 million vehicle sales tax offset, when trading in a car to purchase a new car. **KBT opposed. To House Appropriations & Revenue Committee – January 19. Passed favorably out of Committee on 2/23; To House Floor. Passed House 99-0 on 3/3; To Senate on March 4. To Senate – Appropriations & Revenue Committee on 3/8.**

HB 410 (Rep. DeCesare) Make permanent the allowance of trade-in credit when determining the motor vehicle usage tax on new vehicle purchases. **KBT Opposed.** (Note: if enacted, this bill would permanently extend the trade in credit, set to expire on June 30, 2010. This credit is currently funded by diverting \$25 million from the Road Fund.) **Introduced on Feb 9. To House – Appropriations & Revenue Committee on 2/10.**

SJR 169 (Sen. Williams & 8 co-sponsors) Ratify the appointments of Governor and ratify the formation of the Ohio River Bridges Bi-State Authority to accelerate construction of the Southern Indiana – Louisville Bridges mega-project. Include emergency clause making ratification effective upon Governor’s signing bill. **KBT Supports. Introduced Feb 24. To Senate – Transportation. Passed 11-0 in Senate Transportation on 3/3. To Senate floor on 3/3, passed 38-0. To House on 3/4. To House-Transportation Committee. Posting requirement waived. Passed favorably out of Committee on 3/9 by vote of 16-0. To House floor on Consent Calendar. Scheduled for House floor vote on Monday, March 15. Passed House 88-3 on 3/17. Returned to Senate on 3/18. Expect Governor to sign on 3/19 or 3/22.**

License Plates

HB 40 (Rep. Collins) Provide state legislators immunity from lawsuit when groups litigate special license plate issues with the Transportation Cabinet. **KBT monitor. Passed House Transportation on 1/26; to House Floor on consent. Passed House 94-1; To Senate. To Senate – Transportation Committee. Passed favorably out of Committee on 3/10 by vote of 11-0. To Senate floor and Consent Calendar on 3/11. Passed Senate 38-0 on 3/18.**

HB 100 (Rep. Gooch and 12 co-sponsors) Provide that “In God We Trust” license plate as a alternative standard-issue license plate for motorists. **KBT monitor. Passed House Transportation on 1/26; to House Floor on consent. Passed House 93-1 on 2/2. To Senate. Received in Senate 2/4. To Senate - Transportation Committee on 2/4.**

HB 470 (Rep. Collins) Establish new system dealing with motor vehicle license plates so that plates stay with original owner of vehicle and are placed on subsequent vehicles. Effective January 2013. Supported by County Clerks, law enforcement agencies and auto dealers. **Introduced 2/22; To House – Transportation Committee. Passed favorably out of Committee by vote of 20-0 on 3/3; To House; Passed favorably in House by vote of 100-0 on March 4. To Senate – Transportation Committee on 3/9. Passed favorably from Committee on 3/17 by vote of 11-0; to Senate floor on Consent Calendar.**

Public Transit

HB 82 (Rep. Horlander) Increase penalty for menacing and disorderly conduct relating to assault on operator or passenger of taxi, bus and other vehicles for hire. **KBT Monitor.** To House – Judiciary Committee on Jan. 5.

Rail and Railroads

HB 31 (Rep. Nelson) Require Transportation Cabinet to inspect railroad grade crossing twice a year, if traffic count at crossing exceeds 700 vehicles daily. **KBT monitor.** To House Transportation on January 5.

HB 181 (Rep. Nelson) Establish new standards for railroad employees; define railroad contract carrier employee, establish rules and standards, require \$5 million liability insurance. **KBT opposed.** To House Transportation Committee on January 5.

HB 432 (Rep. Nelson) Establish new standards for railroad employees, define railroad contract carrier employee, establish rules and standards, require \$5 million liability insurance. **KBT opposed. To House – Labor & Industry Committee on 2/18; Voted favorably out of Committee on 2/25. To House Floor. Scheduled for House Floor vote on Friday, March 5. On hold.**

HB 498 (Rep. Pullin) Establish 7-member Passenger Rail Transportation Advisory Board to advise executive and legislative branches of Kentucky state government; prohibit payment of board members and prohibit reimbursement of expenses; provide for quarterly meetings and attach Advisory Board administratively to KYTC. **KBT Support. To House – Transportation Committee on 2/24; Passed favorably out of Committee on 3/9 by vote of 16-0; to House floor and Consent Calendar. Scheduled for House floor vote on Monday, March 15. Passed House 95-0 on 3/15; To Senate – Transportation Committee on 3/17.**

HJR 133 (Rep. Glenn) Require KYTC to study feasibility of establishing a high speed rail network in Kentucky. **KBT Support.** To House – Transportation on 2/10.

Traffic Safety Legislation

HB 15 (Rep. Riner) Prohibits shock probation until either service of one year of imprisonment or completion of comprehensive substance abuse treatment with supplemental character and education components; to be titled “Kentuckians Against Drunk Driving Act.” **KBT monitor.** To House Judiciary Committee on January 5.

HB 79 (Rep. Arnold) Extend the allowable traveling distance for golf carts on local roads (not state roads) from 5 miles to 7 miles from a golf course. **KBT monitor.** To House Transportation Committee on January 5. **Amended to eliminate references to distances altogether and allow city governments or county governments to enact local ordinances allowing golf cart travel, based on local circumstances.** Passed favorably from Committee on 2/23; To House Floor. Passed House 94-5 on 2/25. To Senate – Transportation Committee on 3/1. Passed favorably out of Committee on 3/10 by vote of 12-0. To Senate floor and Consent Calendar on 3/11. Passed Senate 38-0 on 3/18.

HB 113 (Rep. Denham) Requires the illumination of headlights during any period of precipitation that necessitates the use of windshield wipers by motorists. **KBT monitor.** To House Transportation Committee on January 5.

HB 131 (Rep. Burch) Requires KYTC to issue magnetic decals that shall be affixed to motor vehicles identifying drivers who hold an instructional permit. **KBT Support.** Passed House Transportation Committee on 1/26; To House floor. Passed House 55-39 on 1/28. To Senate. To Senate Transportation Committee on 2/3.

HB 352 (Rep. C. Miller) Specify that double fines in work zones are only applicable when required signs are posted and workers are physically present in work zone. **KBT monitor.** To House – Transportation Committee. Passed favorably out of Committee on 2/9. To House Floor. Passed House 98-0 on 2/17. To Senate. To Senate – Transportation Committee on 2/22.

HR 91 (Rep. Ballard) Request KYTC perform study on cost savings and safety implications of reducing amount of lighting used on remote parkway interchanges. **KBT Monitor.** Adopted by vote of 98-0 on 2/11.

Waterway

HB 28 (Rep. Coursey) Establish 7-member Water Transport Advisory Board to serve as an expert advisory body to the legislative and executive branches of Ky. state government; establish that Board members receive no compensation or reimbursement. **KBT Support.** Passed House Transportation Committee on 2/2; To House floor. Passed House 95-1 on 2/4. To Senate – Transportation. Passed Senate Transportation on 3/3 by vote of 11-0. To Senate floor on Consent Calendar. Passed full Senate on 3/9 with voice vote. Return to House to concur in Senate amendments. Received in House 3/11. Scheduled for House floor vote on 3/18, 3/19 or 3/22.