

### Transportation News!

January 27, 2012

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## Monty Boyd Elected KBT Chairman for 2012

**Monty L. Boyd** was elected 2012 KBT Chairman on Thursday, January 19, 2012 by the KBT Board of Directors. Boyd is the President, CEO and Chairman of Wayne Supply, one of the nation's oldest and largest Caterpillar dealerships. With its headquarters in Louisville and nine district offices across the Commonwealth, Boyd and Wayne Supply are looking forward to 2013, as it marks a century of service since the company was founded in 1913.

Serving with Boyd on the KBT Executive Committee are: David Haydon (Nally & Haydon) as KBT First Vice Chair, Greg Hensley (Hinkle Contracting) as KBT Second Vice-Chair; Richard Sutherland (Stantec) as KBT Secretary; Crissy Fiscus (Dean Dorton Allen Ford) as KBT Treasurer; Clint Goodin (Vaughn & Melton) as KBT Director-At-Large, and Mark Willis (Stantec) as KBT Immediate Past Chair.

Joining the KBT Board of Directors in 2012 will be five directors, who are: Ted Smith, Director of Innovation for Metro Louisville Government; Bryce Walker of Walker Construction; Jeff Houchin of Intech Contracting LLC; Mike Carter, CEO of Lynn Imaging and John McCarty of Strong-McCarty Global.

Immediate Past Chair Mark Willis, who served as KBT Chairman in 2011, said, "I am very proud of our accomplishments over the last year. First, KBT has experienced record-breaking growth in the number of new members. Secondly, KBT relocated its offices and established an inviting "home" for KBT staff and for KBT members to work and visit. Thirdly, KBT has made many small changes in its structures and practices that, when taken in whole, have energized and streamlined KBT," Willis stated. "Lastly, KBT commissioned the \$60,000 "Four Modes Study", a study undertaken to determine how other states fund their public transit, airports, rail and waterways agencies within their state governments. All combined, it was a busy and productive year, and I have no doubt that Monty Boyd will continue this growth in 2012," Willis concluded.



MONTY BOYD AND MARK WILLIS



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## KBT New Member: City of Frankfort

KBT welcomes the City of Frankfort as our newest KBT member!

The town of Frankfort likely received its name from an event that took place in the early 1780s. Native American Indians attacked a group of British-American pioneers while they were making salt at a ford in the Kentucky River. After the pioneer Stephen Frank was killed, the settlers began to refer to that river crossing as "Frank's Ford". The name was later shortened to Frankfort.

The City of Frankfort was founded in 1786 and officially incorporated on February 28, 1835. Of course, it's the Capital



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City of Kentucky and the county seat for Franklin County. The City of Frankfort has a population of approximately 28,000 residents, but the daily population increases to approximately 50,000 based on the workforce in Franklin County, or commutes into the City from neighboring counties.

The City of Frankfort is governed by the Mayor H. Gippy Graham, the City Commissioners and administered by the City Manager.

Mayor Graham was elected Mayor in 2008 and began serving on January 1, 2009. Previously he served as a State Representative in the Kentucky General Assembly, and also served as an Administrative Assistant to the Commissioner of the Kentucky Department of Highways. Mayor Graham has served as a public school teacher, as well as teaching at the college level, where he was an assistant professor and department chair.

You may reach Mayor Graham at [ggraham@frankfort.ky.gov](mailto:ggraham@frankfort.ky.gov) or at 502-875-8500. His address at City Hall is 315 West Second Street, Frankfort, Kentucky 40601.

### Welcome to KBT, City of Frankfort !

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## 34th Transportation Conference Has Record Number of Speakers and Attendance

Nearly 400 transportation advocates gathered in Lexington on January 19 and 20 to hear some 41 speakers addressing 29 cutting-edge transportation topics.

The two-day Conference was held at the Lexington Hyatt Regency, with meals and a reception being held in the adjacent Lexington Center, due to space considerations. Also, for a first time, 20 exhibitors joined the KBT Conference. In all, conference attendees were able to choose from 19 breakout session topics and attend five breakout sessions of at least 45 minutes, each.

On Thursday morning, State Highway Engineer Steve Waddle attracted an audience over 130 for his topic, "What the 2012 Construction Season Will Look Like".

At the Thursday Governor's Luncheon, Kentucky Governor Steve Beshear told the audience, " we have achieved a lot, together." Beshear spoke of the need of all five modes operating in harmony to expand Kentucky's job market and workforce. He was interrupted several times by applause from the KBT crowd.

The Thursday afternoon General Session speakers included NTSB Chair Deborah Hersman, General Electric's Bradford Swann, and AASHTO's Jack Basso.

Chair Hersman challenged KBT transportation advocates to increase legislative support to improve distracted and drunk driving laws in Kentucky, and enact administrative license revocation, along with strengthened seat belt and child booster seat laws. "You guys know what needs to be done," Hersman told the audience. "Now is the time to put on a full court press. Now is the time to take a stand. How can we change people? How can we change behavior?" she asked.

Bradford Swann of GE presented a compelling PowerPoint presentation on the efforts of Greenville, South Carolina to accelerate the adoption of Electric Vehicles (EV) there. Thanks to the efforts of a wide variety of governments, employers and civic leaders, Greenville has more than 40 "quick charge" sites to encourage EV purchases.

AASHTO's Jack Basso, an experienced transportation policy maker in Washington, D.C was the third national speaker. "I went to work in 1964, and until 2008 the HTF always had money in it. But we are falling behind every year now, and the funding gap will continue to grow. If Congress fails to extend SAFETEA-LU, the HTF loses \$110 million per day, if it is just shut down for one day!" So, what did



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Basso's crystal ball predict in the coming months? "Budget cuts are the order of the day, and the road ahead is, at best, unclear. In the end, the month of February will be very, very interesting," he concluded.

On Thursday evening, Speaker Greg Stumbo and Senate President David Williams shared speaking duties to the KBT crowd.

"We need a workable 6-year Road Plan, not one that's over programmed. It's all well and good to have your project in the 6-year Road Plan, but if it's not going to be funded and built, it shouldn't be in there," Speaker Stumbo said.

"Everyone should be interested in the Louisville Bridges Project as it is a daunting task, especially when considering the Brent Spence Bridge needs in Northern Kentucky," said Senate President Williams. "These are the most important logistical challenges in our state. Let me add that there is no need to criticize; instead we need to review and scrutinize. We need to think about maintenance costs, but everyone should be interested in these projects." In conclusion, President Williams said "we are going to do an orderly Road Plan. That you can count on. The General Assembly is in session, and we will start focusing on important issues at hand."

One of the more colorful conference comments was uttered by economist Ron Crouch, Director of Research & Statistics for the Kentucky Education & Workforce Development Cabinet in Frankfort. Crouch's topic was entitled, "What the 2010 Census Tells Us about Transportation Trends." While discussing the impact of China's economy on global consumption patterns, Crouch said, "the average Chinese home has four grandparents, two parents and one working adult son or daughter." His point: China's workforce is not sustainable, long-term.

Friday's Closing Luncheon speaker was Peter Rahn, Senior Vice President for HNTB. Rahn, the former leading state transportation official in both Missouri and New Mexico, urged transportation advocates to be more bold on funding issues. "**Demand it**," Rahn urged the crowd.



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## House and Senate Transportation Committees Meet

This week, the House- Transportation Committee, chaired by Rep. Hubert Collins (Wittensville) and the Senate – Transportation Committee, chaired by Sen. Ernie Harris (Crestwood) met for the first time, each.

Three bills passed out of the House-Transportation Committee on Tuesday at 12:00 noon. **HB 165**, sponsored by Rep. Mike Denham (Maysville) requires that motorists have their headlights on if it is misting and raining to the extent that windshield wipers are needed. The penalty carries no fine and no court cost with the first offense. **HB 221**, sponsored by Rep. Rick Nelson (Middlesboro) will allow veterans to have a designation on their driver's license stating that they are a veteran at their first application, or when renewed.

Finally, **HR 85**, sponsored by Rep. Rick Nelson (Middlesboro) urges all corporate railroad officials in Kentucky to require that proper maintenance be conducted at all railroad crossings located in the Commonwealth. Both **HB322** and **HR85** passed with no dissenting votes and will go to the House floor. The House Transportation Committee discussed, but took no action, on bills that would require slow-moving horse-drawn carriages to use special reflective tape and lanterns to better illuminate the carriages, because they are a serious safety hazard.

On Wednesday, January 25, the Senate Transportation Committee met for the first time and favorably considered **SB 75**, a measure which also deals with slow-moving horse-drawn carriages, sponsored by Sen. Ken Winters (Murray). Winters bill will go to the Senate floor in the coming days, and will likely be the bill which moves this issue through the 2012 General Assembly. At issue is a religious belief by the Amish sect in Western Kentucky that forbids them from displaying a bright orange slow-moving vehicle sign on the back of their buggies. Currently, a law suit on this issue is heading for the Ky. Supreme Court and expected to be heard this Spring.



**KBT also wishes to commend Sen. Ernie Harris (Crestwood) for introducing SB 89, a bill which**

would expand Kentucky's seat belt requirement to apply to 12-passenger and 15-passenger vans. This issue was designated as one of five safety priorities by the KBT Board of Directors in September and November.

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## Natural Gas Truck Stops Are Expanding....



The United States is blessed with record supplies of natural gas and plenty of reasons to promote natural gas cars, but so far, individual consumers, manufacturers and fuel suppliers haven't shown much interest.

But that may be ready to change.

According to the international trade association Natural Gas Vehicles Global, there are 12.7 million natural gas vehicles in the world, but just 112,000 of them in the U.S. Most in the U.S. are fleets.

Lots of natural gas is available. In just a few years, domestic natural gas supply has increased by trillions of cubic feet, through shale finds. In fact, the increase in supply is making some natural gas producers consider plans to export U.S. natural gas in an effort to find new markets for the overflow.

The growth of natural gas vehicles in the United States, so far, has been dominated by public transit buses, taxis and garbage haulers. Only one car company, Honda, is commercially producing a natural gas fueled car, it's the Honda Civic NG. According to Honda, they have sold about 13,000 units, but it has been available for 13 years!

The reason for lackluster sales of natural gas vehicles are straight-forward: the fuel is only available at a handful of public stations. **In fact, there are no public natural gas fueling stations in Kentucky, an issue Kentucky State Representative Steve Riggs (Louisville) brought to the attention of KBT, recently, when he placed a phone call to the KBT office.** Another issue with natural gas vehicles is the fact that they can carry a higher purchase price or list price. Even though the pump price for natural gas can run \$1 to \$2 less per gallon for gasoline, natural gas engines. In most natural gas pumping stations, natural gas is priced in "gge" or gallon gasoline equivalent. Currently, public natural gas stations in Indiana, Ohio and Illinois are selling natural gas for \$1.40 per gge to \$1.85 per gge. **WOW! What a savings!**

The focus for the natural gas vehicle industry in the United States has been fuel-guzzlers: commercial vehicles, especially tractor-trailer rigs. Kentucky, it would seem, would be perfectly located for natural gas truck stops ---along I-75, I-64, I-71, I-65, I-24 and I-69. **Watch this spot. It's going to change, and change fast.**

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## Water Transportation Advisory Board: Feb. 7



The 7-member Kentucky Water Transportation Advisory Board will meet in Frankfort on Wednesday, February 7, 2012 beginning at 2:00 p.m. in Frankfort. The meeting will be held in Room C 106 in the Kentucky Transportation Cabinet Building at 200 Mero Street. Greg Pritchett (Henderson Riverport Authority) chairs the all-volunteer panel.

Agenda items include presentations by Mark Locker of the Ohio Department of Transportation. Locker will discuss the ODOT Maritime and Freight Program. Chuck Knowles of the Kentucky Transportation Center at UK will discuss waterways research efforts at KTC.

KBT President Stan Lampe will brief the Advisory Board on pending legislation in the 2012 Session that has implications for waterways commerce.

**The Water Transportation Advisory Board meetings are public meetings, and KBT members with interest in waterways commerce are encouraged to attend.**



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## Our Readers Write .....

Two weeks ago, January 13, the KBT newsletter called on President Obama and the 112 th Congress to link their **supportive words** about transportation funding with **real action** as the 112th Congress reconvenes in Washington, D.C. following the Christmas holiday break. That article drew this response:

KBT ---

Right on the problems of the economy! Wish the "Stimulus" could have concentrated more on "Highway Engineering" and less on "Social Engineering". Keep up the good work!

Fletcher Gabbard

UK Professor of Physics (retired)

McKee, Kentucky



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## Louisville TV Editorial Hits The Bull's Eye !

WAVE TV-3, the NBC affiliate in Louisville, and Kentucky's first television station back in the 1950's has a new **General Manager, Ken Salvaggi**, who has been running hard-hitting editorials on a wide variety of subjects since coming to Louisville last summer. Yesterday, Thursday, January 26, the televised editorial said:



"Left unsaid among the tax talk during the President's State of the Union address, this week, was the archaic way we pay for our transportation network in this country. The cost of roads is up, more cars drive on them, and more miles are being driven. Yet, fuel tax revenue has dropped 20% over the past ten years. In the first three months of the year 2000, a total of \$68 billion was collected in fuel taxes on the federal, state and local level. In the first three months of the year 2010, a total of \$55 billion was collected. The reason is simple. The gas tax is on the fuel we buy and we are buying less because we are driving more fuel-efficient cars. And some of us are not buying gas at all to drive. The next generation of vehicles, powered by electricity, natural gas, hydrogen and compressed air are or will be driving on our roads for free. A user fee could be the answer but something must be done to address this issue before our roads join our bridges as crumbling infrastructure. And an economy struggling to move forward gets stalled again. We are seeing, firsthand, now how bridge closings can impact our economy. We don't want road closing to follow."

Thanks, WAVETV-3



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## Legislative Summary

# Selected State Transportation Legislation

Selected State Transportation Legislation for KBT Members

(as of Thursday, January 26, 2012)

(Updated status of bills available at [www.lrc.ky.gov](http://www.lrc.ky.gov))

## Administrative

### Airports

**HB 124** (Rep. Wayne) Allow a planning unit to incorporate airport noise overlay districts within its zoning texts and maps; allow the planning unit to incorporate guidelines on building techniques and materials that are designed to provide acoustical insulation benefits. **KBT Position: Monitor.** To House – Local Government on 1/3.

### Auto Dealerships

### Bidding and State Contracting Practices

### Building Materials, including Stone, Sand Gravel

### DUI Legislation

### Energy Conservation; Energy Standards

**HB 167** (Rep. Marzian) Encourage greater energy efficiency, conservation, and the use of renewable energy resources in order to promote energy independence and energy security; established targeted low-income weatherization programs; other provisions. **KBT Position: Monitor.** To House – Tourism Development & Energy on 1/4.

**HB 246** (Rep. Adkins)(28 co-sponsors). Relating to the promotion of alternative energy, expand the types of alternative and renewable energy eligible for incentives. **KBT Position: Monitor.** To Tourism Development and Energy Committee on 1/12; passed favorably from Committee on 1/26; to House Floor.

### Fuels, Including All Transportation Fuels

**HB 245** (Rep. Hall) Establish a tax credit for individuals who convert or retrofit vehicles to run on LNG or CNG; also establish tax credit for individuals who purchase new vehicles that do so. **KBT Position: Monitor.** To House - Approp. & Revenue on 1/11.

### Highways, Streets & Bridges

### Leases and Leasing Practices

**SB 65** (Sen. Jensen) Provide that leases of motor vehicles or trailers which contain a terminal rental clause do not become or convert into sales contracts. **KBT Position: Monitor.** To Senate – Transportation on 1/4

### License Plates, Operator's Licenses and Vehicle Registrations

**SB 46** (Sen. Schickel) Permit a veteran to request, at the time of application, that a personal identification card or operator's license bear a designation denoting the applicant's status as a veteran. **KBT Position: Monitor.** To Senate- Transportation on 1/3.

**SB 53** (Sen. Palmer) Direct KYTC to establish special NASCAR themed license plates; allow KYTC to enter into licensing agreement with NASCAR; direct that EF fees for NASCAR plates to be distributed to local health departments, in accordance with the number of plates issued in each county; set state fee for plate at \$32 and EF fee at \$10. **KBT Position: Monitor.** To Senate – Transportation on 1/3.

**HB 95** (Rep. Steele) Permit a veteran to request, at the time of application, that a personal identification card or operator's license bear a designation denoting the applicant is a veteran. **KBT Position:**

**Monitor.** To House – Veterans, Military Affairs & Public Safety on 1/3.

**HB 105** (Rep. Butler) Require the design of the Purple Heart license plate include a picture of the Purple Heart medal and the words “Combat Wounded”. **KBT Position: Monitor.** To House – Veterans, Military Affairs and Public Safety.

**HB 194** (Rep. S. Lee) Permit a veteran, at the time of application or renewal, to request an operator’s license bear a designation that the applicant is a veteran. **KBT Position: Monitor.** To House – Veterans, Military Affairs and Public Safety on 1/5

**HB 195** (Rep. S. Lee) Require that an applicant for initial title and registration of a motor vehicle present a valid Kentucky operator’s license or other proof of U.S. citizenship. **KBT Position: Monitor.** To House – Transportation on 1/5.

**HB 197** (Rep. Pullin) Establish a new effective date for the I Support Veterans special license plate; require manufacturing to being no later than June 12, 2012. **KBT Position: Monitor.** To House – Veterans, Military Affairs and Public Safety on 1/5. Passed favorably out of Committee on 1/11; To House Floor. Passed House floor 99-0 on 1/18; To Senate – Transportation on 1/24.

**HB 221** (Rep. Nelson) (42 co-sponsors) Permit a veteran, at the time of application or renewal, that a personal identification card or license may denote applicant’s status as a veteran. **KBT Position: Monitor.** To House – Veterans, Military Affairs and Public Safety on 1/9. Passed favorably out of Committee on 1/24; To House Floor. Passed House floor vote 96-0 on 1/26.

**HB 327** (Rep. Osborne) Allow renewal of an operator’s license by mail for a license holder residing temporarily out of state while enrolled in full-time postsecondary educational institution. **KBT Position: Monitor.** Introduced on 1/26; not yet assigned to a Committee.

### Public Transit

#### Rail and Railroads

**HR 14** (Rep. Nelson) Urge CSX officials to require the maintenance of all CSX railroad crossings located in the Commonwealth. **KBT Position: Opposed.** To House – Transportation on 1/3.

**HR 85** (Rep. Nelson) Urge corporate railroad officials to require the maintenance of all railroad crossings located in the Commonwealth. **KBT Position: Monitor.** To House – Transportation Committee on 1/20; passed favorably out Committee on 1/24; To Consent Calendar To House Floor; potentially posted for passage on Tuesday, January 31.

#### Safety

**SB 75** (Sen. Winters)(7 co-sponsors) Allow slow-moving, motor-less vehicles operating at night to use markings of reflective tape, rather than using the slow-moving vehicle emblem. **KBT Position: Monitor.** To Senate – Transportation on 1/5. Passed favorably out of Committee on 1/25; To Rules Committee, add amendment to declare an emergency;

**HB 30** (Rep. Mills) (8 co-sponsors) Allow local school boards to sell advertising on school buses; prohibit certain types of advertising; require annual reporting. **KBT Position: Opposed.** To House – Education on 1/3; Posted in Committee on 1/5; Voted Favorably out of Committee on 1/10 to House floor. Passed House 67 to 29 on 1/18; to Senate; to Senate- Education Committee on 1/24.

**HB 64** (Rep. Keene) Expand instances to allow ignition interlock devices be installed, including driving the wrong way on a four-lane highway; establish an ignition interlock assistance fund operated by KYTC for indigent offenders. **KBT Position: Monitor.** To House – Judiciary on 1/3.

**HB 86** (Rep. Embry) Add “mini-trucks” to the definition of motor vehicles; permit mini-trucks on public roadways with a posted speed limit of 45 MPH or less; require operators/owners of mini-trucks to comply with insurance, title and registration and useage tax requirements as motor vehicle. **KBT Position: Opposed.** To House – Transportation on 1/3.

**HB 114** (Rep. Crimm) Provide alternate lighting system for slow-moving, motor-less vehicles operated at night; provide for marking motor-less vehicles with reflective tape rather than using the slow-moving emblem. **KBT Position: Monitor.** To House – Transportation on 1/3.

**HB 133** (Rep. Bell) Provide for a means of marking motor-less slow-moving vehicles with reflective tape rather than using the slow-moving vehicle emblem. **KBT Position: Monitor.** To House – Transportation on 1/3.

**HB 165** (Rep. Denham) Require motorists to illuminate headlights during any period of precipitation that necessitates the use of their windshield wipers. **KBT Position: Monitor.** To House – Transportation on 1/4. Passed favorably out of Committee on 1/24; To House floor; potentially vote on Monday, 1/30.

**HB 184** (Rep. Meeks) Require that KYTC forward a copy of all uniform traffic citations issued to drivers under 18 years of age to the parent or guardian. **KBT Position: Monitor.** To House – Transportation on 1/4.

**HB 199** (Rep. Butler) Require that information contained on a disabled parking placard be written on a tamper-evident sticker that is color coded based on the year in which the placard expires. **KBT Position: Monitor.** To House – Transportation on 1/5.

**HB 283** (Rep. Harmon) relating to driving under the influence; restructure current four-tiered penalty structure to a three-tier penalty structure; expand the five-year look back window for prior offenses to a ten-year look back. **KBT Position: Support.** To House- Judiciary Committee on 1/20.

**HB 328** (Rep. R. Adams) Allow person who has received an intermediate operator's license to apply for a motorcycle instruction permit; make motorcycle instruction permit good for 1 year with ability to renew the permit one time; allow person with expired motorcycle instruction permit to apply for motorcycle operators license if the person can present proof of successful completion of motorcycle safety education course. **KBT Position: Support.** Introduced on 1/26; not yet assigned to a Committee.

### **State Tax Code / Transportation Budget Bills/ Road Fund**

**HB 46** (Rep. Nemes) Allow for local option election for expanded gaming, not held on primary and regular election days; establish commission for as agency to solicit bids for casino gaming; establish procedure for evaluating bids for full casinos. **KBT Position: Support.** To House – Licensing & Occupations on 1/3.

**HB 120** (Rep. Farmer) Make trade-in allowance permanent for motor vehicles purchased on or after 10/1/2012; amend tax code to expand sales and use tax to include selected services; lower sales and use tax rate; tax all pass-through entities at a flat rate of 2.5%; modify the tax rates for llc entities; decrease wholesale alcohol tax to 5.5 % from current rate of 11%. **KBT Position: Monitor.** To House – Appropriations & Revenue on 1/3.

**HB 140** (Rep. Keene) Create a new section of KRS 154A to require that local option elections for the approval of casino gaming in counties with population greater than 90,000 or in cities of the fourth class or greater; specify license fees and stipulate requirements for licensing. **KBT Position: Support.** To House – Licensing & Occupations on 1/3.

**HB 266** (Rep. Rand) Provide appropriations and financing for the operators, maintenance, support and functioning of the Kentucky Transportation Cabinet. **KBT Position: Monitor.** To House- Appropriations & Revenue Committee on 1/18;

**HB 267** (Rep. Rand) (5 co-sponsors) Establish the fiscal year 2012-2014 Biennial Highway Construction Plan; declare an emergency (bill becomes law upon the signature of the Governor)**KBT Position: Monitor;** To House – Appropriations & Revenue Committee on 1/18.

**HB 277** (Rep. J. Richards) Require the Secretary of State to create a standard form, to be used by all local tax districts for the filing of returns of net profits, gross receipts and occupational license taxes. **KBT Position: Monitor.** To House – Local Government Committee on 1/20.

### **Waterway**

**SB 83** (Sen. Palmer) Create a water vessel removal assistance fund to be administered by the Kentucky River Authority; require the Kentucky River Authority to establish criteria for when removal of abandoned water vessel is necessary. **KBT Position: Monitor.** To Senate – Transportation on 1/9.

**HB 93** (Rep. Gregory) Clarify that the Rules of the Road for personal watercraft are part of the Inland Navigation Rules and provide specific citation for those rules. **KBT Position: Monitor.** To House – Transportation on 1/3.

**HB 154** (Rep. Bell) Allow for an alternative apportionment method to tax commercial watercraft if the statutory method does not adequately reflect the use of watercraft by a company in this state. **KBT Position: Support.** To House – Appropriations & Revenue on 1/3.

**SB 112** (Sen. McGaha) Relating to boating while under the influence; establish a new penalty scheme for boating while intoxicated; amend current statute to allow for arrest based on probable cause for

boating while intoxicated. **KBT Position: Monitor.** To Senate – Judiciary on 1/24.



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