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ARTICLE 8

RELATING TO TRANSPORTATION

SECTION 1. Section 31-25-21 of the General Laws in Chapter 31-25 entitled "Size, Weight, and Load Limits" is hereby amended to read as follows:

31-25-21. Power to permit excess size or weight of loads. [Effective January 1, 2019.]

(a) The department of transportation, with respect to highways under its jurisdiction, may, in its discretion, upon application in writing and good cause being shown for it, approve the issuance of a special permit in writing by the division of motor vehicles authorizing the applicant to operate or move a vehicle, or combination of vehicles, of a size or weight of vehicle or load exceeding eighty thousand pounds (80,000 lbs.) or otherwise not in conformity with the provisions of chapters 1 -- 27 of this title upon any highway under the jurisdiction of the party granting the permit and for the maintenance of which the party is responsible. Permits that have been issued for a full year shall not be required to be renewed for the period of time for which payment has been made and the application and other required documentation has been completed and filed. Provided, that neither the department of transportation nor the local authorities may approve the issuance of permits for divisible loads weighing in excess of one hundred four thousand-eight hundred pounds (104,800 lbs.), gross vehicle weight, for five-axle (5) vehicles and seventy-six thousand six hundred fifty pounds (76,650 lbs.), gross vehicle weight, for three-axle (3) vehicles.

(1) Provided, however, that for milk products, any vehicle carrying fluid milk products shall be considered a load that cannot be easily dismantled or divided.

(b) The director of the department of transportation may enter into agreements with other states, the District of Columbia, and Canadian provinces providing for the reciprocal enforcement of the overweight or over-dimensional vehicle permit laws of those jurisdictions entering into the agreement.

(c) Trip permit fee. A fee of ~~twenty dollars (\$20.00)~~ forty dollars (\$40.00) shall be paid to the division of motor vehicles for the issuance of each non-reducible vehicle or load permit; provided, however, applicants seeking a permit for a non-divisible load exceeding one hundred thirty thousand pounds (130,000 lbs.) shall pay a fee of three hundred dollars (\$300.00) to the division of motor vehicles for consideration of a special trip permit approved by the department of transportation pursuant to subsection (e).

1 (d) Annual fee. An annual fee of ~~three hundred dollars (\$300)~~ four hundred dollars (\$400)
2 paid to the division of motor vehicles shall exempt the payor from the necessity of paying trip
3 permit fees for non-divisible loads of less than one hundred thirty thousand pounds (130,000 lbs.)
4 as found in subsection (c). However, payment of the fee shall not be deemed to authorize non-
5 compliance with the rules and regulations promulgated by the department of transportation entitled
6 "State of Rhode Island Manual for Overweight and Oversize Vehicle Permits".

7 (e) Blanket construction equipment permits may be issued, as determined by the
8 department of transportation, for intrastate movement of non-reducible loads upon payment of the
9 fee set forth in subsection (d). The duration of the blanket permit may not exceed one year, and the
10 construction equipment permit load shall be limited to a minimum overall length of fifty-five feet
11 (55'), a maximum overall length of eighty feet (80'), and a maximum width of twelve feet four
12 inches (12' 4"), provided that neither the division of motor vehicles nor local authorities may issue
13 blanket permits for non-divisible loads weighing in excess of one hundred thirty thousand pounds
14 (130,000 lbs.) on less than six (6) axles, with individual axle weights exceeding twenty-five
15 thousand pounds (25,000 lbs.); provided, further, that the department of transportation, with respect
16 to highways under its jurisdiction, may, in its discretion and upon application and for good cause
17 shown, approve the issuance of a special trip permit authorizing the applicant to exceed one hundred
18 thirty thousand pounds (130,000 lbs.) for non-divisible loads. A flashing amber light shall be in
19 operation above the highest point of the vehicle and shall be visible from both the front and rear of
20 the vehicle; and signs and red warning flags shall be affixed to all extremities. All blanket permits
21 issued in accordance with this section shall be effective during daylight and night-time hours for
22 all over-dimensional moves made and travel shall be allowed on state highways. The following
23 restrictions on travel times shall apply to:

24 (1) Freeways -- in general.

25 No travel will be allowed between the hours of 7:00 am and 9:00 am or between 3:00 pm
26 and 7:00 pm on any day of the week.

27 (2) Arterial roadways.

28 No travel will be allowed between the hours of 7:00 am and 9:00 am or between 3:00 pm
29 and 7:00 pm, Monday through Friday.

30 (3) Holidays.

31 Memorial Day, Victory Day, Labor Day and Columbus Day -- No Saturday, Sunday, or
32 Monday day or night travel.

33 Thanksgiving Day -- No Wednesday night or Thursday day or night travel. No travel on
34 Wednesday through Sunday of Thanksgiving week in any calendar year.

1 Independence Day, Veterans Day, Christmas Day -- No day or night travel and no travel
2 the previous night.

3 Easter Sunday. No Saturday night or Sunday travel.

4 (f) Construction equipment blanket permits shall not be granted for travel over the
5 following bridges:

6 Blackstone River Viaduct 750 carrying I-295 northbound and southbound over the
7 Blackstone River;

8 Kingston Road Bridge No. 403 carrying I-95 northbound and southbound over Kingston
9 Road.

10 (g) Travel of blanket permitted construction equipment through zones with reductions in
11 lane width such as construction zones will not be allowed. Prior to travel, blanket permit holders
12 are responsible to verify the location of construction zones and lane width reductions. Locations of
13 lane width reduction zones are available through the state department of transportation's
14 construction office.

15 SECTION 2. Section 31-36-20 of the General Laws in Chapter 31-36 entitled "Motor Fuel
16 Tax" is hereby amended to read as follows:

17 **31-36-20. Disposition of proceeds.**

18 (a) Notwithstanding any other provision of law to the contrary, all moneys paid into the
19 general treasury under the provisions of this chapter or chapter 37 of this title, and title 46 shall be
20 applied to and held in a separate fund and be deposited in any depositories that may be selected by
21 the general treasurer to the credit of the fund, which fund shall be known as the Intermodal Surface
22 Transportation Fund; provided, that in fiscal year 2004 for the months of July through April six and
23 eighty-five hundredth cents (\$0.0685) per gallon of the tax imposed and accruing for the liability
24 under the provisions of § 31-36-7, less refunds and credits, shall be transferred to the Rhode Island
25 public transit authority as provided under § 39-18-21. For the months of May and June in fiscal
26 year 2004, the allocation shall be five and five hundredth cents (\$0.0505). Thereafter, until fiscal
27 year 2006, the allocation shall be six and twenty-five hundredth cents (\$0.0625). For fiscal years
28 2006 through FY 2008, the allocation shall be seven and twenty-five hundredth cents (\$0.0725);
29 provided, that expenditures shall include the costs of a market survey of non-transit users and a
30 management study of the agency to include the feasibility of moving the Authority into the
31 Department of Transportation, both to be conducted under the auspices of the state budget officer.
32 The state budget officer shall hire necessary consultants to perform the studies, and shall direct
33 payment by the Authority. Both studies shall be transmitted by the Budget Officer to the 2006
34 session of the General Assembly, with comments from the Authority. For fiscal year 2009, the

1 allocation shall be seven and seventy-five hundredth cents (\$0.0775), of which one-half cent
2 (\$0.005) shall be derived from the one cent (\$0.01) per gallon environmental protection fee
3 pursuant to § 46-12.9-11. For fiscal years 2010 and thereafter, the allocation shall be nine and
4 seventy-five hundredth cents (\$0.0975), of which of one-half cent (\$0.005) shall be derived from
5 the one cent (\$0.01) per gallon environmental protection fee pursuant to § 46-12.9-11. For fiscal
6 years 2020 and thereafter, to the extent that the gasoline tax is adjusted in accordance with § 31-
7 36-7, the allocation shall be ten and twenty-five hundredth cents (\$0.1025), of which one-half cent
8 (\$0.005) shall be derived from the one cent (\$0.01) per gallon environmental protection fee
9 pursuant to § 46-12.9-11. One cent (\$0.01) per gallon shall be transferred to the Elderly/Disabled
10 Transportation Program of the department of human services, and the remaining cents per gallon
11 shall be available for general revenue as determined by the following schedule:

12 (i) For the fiscal year 2000, three and one fourth cents (\$0.0325) shall be available for
13 general revenue.

14 (ii) For the fiscal year 2001, one and three-fourth cents (\$0.0175) shall be available for
15 general revenue.

16 (iii) For the fiscal year 2002, one-fourth cent (\$0.0025) shall be available for general
17 revenue.

18 (iv) For the fiscal year 2003, two and one-fourth cent (\$0.0225) shall be available for
19 general revenue.

20 (v) For the months of July through April in fiscal year 2004, one and four-tenths cents
21 (\$0.014) shall be available for general revenue. For the months of May through June in fiscal year
22 2004, three and two-tenths cents (\$0.032) shall be available for general revenue, and thereafter,
23 until fiscal year 2006, two cents (\$0.02) shall be available for general revenue. For fiscal year 2006
24 through fiscal year 2009 one cent (\$0.01) shall be available for general revenue.

25 (2) All deposits and transfers of funds made by the tax administrator under this section,
26 including those to the Rhode Island public transit authority, the department of human services, the
27 Rhode Island turnpike and bridge authority, and the general fund, shall be made within twenty-four
28 (24) hours of receipt or previous deposit of the funds in question.

29 (3) Commencing in fiscal year 2004, the Director of the Rhode Island Department of
30 Transportation is authorized to remit, on a monthly or less frequent basis as shall be determined by
31 the Director of the Rhode Island Department of Transportation, or his or her designee, or at the
32 election of the Director of the Rhode Island Department of Transportation, with the approval of the
33 Director of the Department of Administration, to an indenture trustee, administrator, or other third
34 party fiduciary, in an amount not to exceed two cents (\$0.02) per gallon of the gas tax imposed, in

1 order to satisfy debt service payments on aggregate bonds issued pursuant to a Joint Resolution and
2 Enactment Approving the Financing of Various Department of Transportation Projects adopted
3 during the 2003 session of the General Assembly, and approved by the Governor.

4 (4) Commencing in fiscal year 2015, three and one-half cents (\$.035) shall be transferred
5 to the Rhode Island Turnpike and Bridge Authority to be used for maintenance, operations, capital
6 expenditures and debt service on any of its projects as defined in chapter 12 of title 24 in lieu of a
7 toll on the Sakonnet River Bridge. The Rhode Island turnpike and bridge authority is authorized to
8 remit to an indenture trustee, administrator, or other third-party fiduciary any or all of the foregoing
9 transfers in order to satisfy and/or secure its revenue bonds and notes and/or debt service payments
10 thereon, including, but not limited to, the bonds and notes issued pursuant to the Joint Resolution
11 set forth in Section 3 of Article 6 of Chapter 23 of the Public Laws of 2010. Notwithstanding any
12 other provision of said Joint Resolution, the Rhode Island turnpike and bridge authority is expressly
13 authorized to issue bonds and notes previously authorized under said Joint Resolution for the
14 purpose of financing all expenses incurred by it for the formerly authorized tolling of the Sakonnet
15 River Bridge and the termination thereof.

16 (b) Notwithstanding any other provision of law to the contrary, all other funds in the fund
17 shall be dedicated to the department of transportation, subject to annual appropriation by the general
18 assembly. The director of transportation shall submit to the general assembly, budget office and
19 office of the governor annually an accounting of all amounts deposited in and credited to the fund
20 together with a budget for proposed expenditures for the succeeding fiscal year in compliance with
21 §§ 35-3-1 and 35-3-4. On order of the director of transportation, the state controller is authorized
22 and directed to draw his or her orders upon the general treasurer for the payments of any sum or
23 portion of the sum that may be required from time to time upon receipt of properly authenticated
24 vouchers.

25 (c) At any time the amount of the fund is insufficient to fund the expenditures of the
26 department of transportation, not to exceed the amount authorized by the general assembly, the
27 general treasurer is authorized, with the approval of the governor and the director of administration,
28 in anticipation of the receipts of monies enumerated in § 31-36-20 to advance sums to the fund, for
29 the purposes specified in § 31-36-20, any funds of the state not specifically held for any particular
30 purpose. However, all the advances made to the fund shall be returned to the general fund
31 immediately upon the receipt by the fund of proceeds resulting from the receipt of monies to the
32 extent of the advances.

33 SECTION 3. Section 39-18.1-5 of the General Laws in Chapter 39-18.1 entitled
34 "Transportation Investment and Debt Reduction Act of 2011" is hereby amended to read as follows:

1 **39-18.1-5. Allocation of funds.**

2 (a) The monies in the highway maintenance fund to be directed to the department of
3 transportation pursuant to subsection (a)(1) of this section shall be allocated through the
4 transportation improvement program process to provide the state match for federal transportation
5 funds, in place of borrowing, as approved by the state planning council. The expenditure of moneys
6 in the highway maintenance fund shall only be authorized for projects that appear in the state's
7 transportation improvement program.

8 (b) Provided, however, that beginning with fiscal year 2015 and annually thereafter, the
9 department of transportation will allocate necessary funding to programs that are designed to
10 eliminate structural deficiencies of the state's bridge, road, and maintenance systems and
11 infrastructure.

12 (c) Provided, further, that beginning July 1, 2015, five percent (5%) of available proceeds
13 in the Rhode Island highway maintenance account shall be allocated annually to the Rhode Island
14 public transit authority for operating expenditures.

15 (d) Provided, further, that from July 1, 2017, through ~~June 30, 2019~~ June 30, 2020, in
16 addition to the amount above, the Rhode Island public transit authority shall receive an amount of
17 not less than five million dollars (\$5,000,000) each fiscal year.

18 (e) Provided, further, that the Rhode Island public transit authority shall convene a
19 coordinating council consisting of those state agencies responsible for meeting the needs of low-
20 income seniors and persons with disabilities, along with those stakeholders that the authority deems
21 appropriate and are necessary to inform, develop, and implement the federally required
22 Coordinated Public Transit Human Services Transportation Plan.

23 The council shall develop, as part of the state's federally required plan, recommendations
24 for the appropriate and sustainable funding of the free-fare program for low-income seniors and
25 persons with disabilities, while maximizing the use of federal funds available to support the
26 transportation needs of this population.

27 The council shall report these recommendations to the governor, the speaker of the house
28 of representatives, and the president of the senate no later than November 1, 2018.

29 (f) Provided, further, that beginning July 1, 2019, the department of transportation shall
30 reimburse the division of motor vehicles for the cost of salaries and benefits for customer service
31 representatives (I & II) or equivalent positions incurred for collecting monies described in § 39-
32 18.1-4 (b).

33 SECTION 4. This article shall take effect upon passage.