

# MAINE STATE LEGISLATURE

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Date: 2-2-12

(Filing No. S- 373)

**TRANSPORTATION**

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**STATE OF MAINE  
SENATE  
125TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 533, L.D. 1623, Bill, "An Act To Simplify Toll Discounts and Amend Certain Powers and Procedures of the Maine Turnpike Authority"

Amend the bill by inserting before section 1 the following:

'Sec. 1. 23 MRSA §1961, sub-§7, as enacted by PL 2011, c. 302, §4, is amended to read:

**7. Funds for department projects.** As part of the budget presented in subsection 6, the authority shall allocate funds for department projects in an amount such that the 3-year rolling average of the allocation equals at least 5% of annual operating revenues. The requirement under this subsection is subordinate to the authority's obligation to pay operating expenses and to meet the requirements of any resolution authorizing bonds of the authority. All department projects are subject to mutual agreement of the authority and the department.

For purposes of this subsection, annual operating revenues do not include any interest earned from the authority's capital and debt service reserve funds or the amount of tolls or other income that is discounted, rebated or refunded by the authority.'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 23 MRSA §1964, sub-§6, as enacted by PL 1981, c. 595, §3, is amended to read:

**6. Operating revenues.** "Operating revenues" means ~~funds available to~~ income of the Maine Turnpike Authority from fees, fares, tolls, rental of concessions and miscellaneous revenue and interest ~~not otherwise pledged or dedicated.'~~

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 23 MRSA §1973, sub-§4, as amended by PL 1995, c. 410, §§1 and 2, is further amended to read:

**4. Rates.** The rate of toll at each toll facility may be revised from time to time.

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT " A " to S.P. 533, L.D. 1623

1 ~~A. The authority shall establish a system of commuter discounts to provide~~  
2 ~~passenger vehicles with reduced rates that may not exceed 50% of the normal~~  
3 ~~passenger vehicle toll.~~

4 A-1. The authority is prohibited from imposing variable surcharges based on the  
5 time of day. ~~Notwithstanding any other provisions of law, the evaluation of~~  
6 ~~congestion pricing as a reasonable transportation alternative to widening or expansion~~  
7 ~~of the Maine Turnpike to 3 lanes in each direction from Exit 1 to Exit 6A on a~~  
8 ~~projected basis without actual implementation of congestion pricing on a~~  
9 ~~demonstration basis meets the criteria of section 73 and chapter 24.~~

10 B. ~~Reduced~~ A reduction in the rates of fees, fares and tolls ~~shall~~ may be made given  
11 to any class of vehicle based upon volume of use.'

12 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
13 section number to read consecutively.

14 **SUMMARY**

15 This amendment retains most of the provisions of the bill and:

16 1. Clarifies that the requirement that the Maine Turnpike Authority allocate 5% of its  
17 annual operating revenues for Department of Transportation projects is subordinate to the  
18 authority's obligation to pay its operating expenses and bond debt;

19 2. Clarifies that the definition of "operating revenues" includes amounts pledged to  
20 debt service and amounts required for operating expenditures; and

21 3. Amends the provision in the bill relating to a prohibition on imposing variable  
22 pricing based on time of day. The amendment retains language allowing such a  
23 prohibition.

24 **FISCAL NOTE REQUIRED**

25 (See attached)



Approved: 01/30/12 *MGC*

# 125th MAINE LEGISLATURE

LD 1623

LR 2574(02)

**An Act To Simplify Toll Discounts and Amend Certain Powers and Procedures of the Maine Turnpike Authority**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-373)**

**Committee: Transportation**

**Fiscal Note Required: Yes**

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## Fiscal Note

Current biennium savings - Maine Turnpike Authority

### Fiscal Detail and Notes

This legislation would allow the Maine Turnpike Authority to send notices of failure to pay tolls to the owner of the vehicle and the Secretary of State by first class mail rather than certified mail. This change is estimated to save the Authority approximately \$50,000 annually. Removing the prohibition against assessing a \$20 administrative fee for a violation by a tractor-trailer combination will increase Authority revenues by minor amounts.