



February 8, 2008

## ***The GR Capitol Report***

Governmental Relations 573/522-9284

**FINAL STATE OF TRANSPORTATION ADDRESS PRESENTED:** On Feb. 6, MoDOT Director Pete Rahn presented to a joint session of the House and Senate the department's State of Transportation Address. This address provided an opportunity for MoDOT to present to the members of the general assembly and the general public an update on the state's current transportation systems. By state statute, this presentation was the fifth and final address to be presented to the legislature.

The following is a copy of Director Rahn's 2008 State of Transportation Address:

Lt. Governor, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Members of the 94th General Assembly, Members of the Missouri Highways and Transportation Commission and Citizens of Missouri:

The road to credibility is a long one. The road to discredit is not. Credibility takes a long time to build, but it can be torn down in a matter of seconds.

The road to credibility is paved with openness and honesty; dedication and hard work; success and commitments met; an innovative spirit and efficient approaches. This journey takes years to travel.

Discredit can come from one misstep. One poor decision. One catastrophic event handled poorly. It is less a journey than a trap door that sends an organization's reputation plummeting.

In 2003, many Missourians including the General Assembly believed that the trap door had fallen out from under the Missouri Department of Transportation. That is when this speech was created to increase our accountability.

A law requiring the director of MoDOT to report annually from this dais mandated a level of scrutiny, a level of accountability never before applied to a state agency. We have taken this responsibility seriously and have endeavored to present an enlightening report each year.

The first address was given in 2004 with a promise that a new day had dawned at MoDOT. In 2005, I reiterated that pledge and further promised that we would be a model for what today's state government should be - efficient, streamlined, forward thinking, results-driven and customer-oriented.

We have worked hard to become that kind of agency. Our focus has been on delivering results.

Rebuilding trust. Demonstrating to you that we are an organization worthy of your support. Each year, during this address, I have reported to you regarding our progress toward these goals. Our progress along the road to credibility.

The State of Transportation Address was created five years ago with a five-year sunset clause. Dramatic improvement was expected or the General Assembly could extend this accountability measure beyond five years. With that in mind, I am proud to say this is the fifth and final State of Transportation Address!

I believe the elimination of this speech sends a clear signal that MoDOT has regained its footing and your trust. Five years ago we faced uncertainty, but today there is no doubt - we've come a long way in a short time. A long way down the road to credibility.

Today, I am happy to report that we have reached our destination. Perceptions have changed and it is now a reality -- the state of transportation in Missouri is strong and the state of your department of transportation is even stronger. We have regained our credibility and then some. The proof is in the results. Just look how far we have come.

The result that motivates us everyday is the safety of our citizens. We have gone from a state where an obscene number of our family, friends and neighbors were dying on our roadways to a state that leads the nation in reducing traffic fatalities.

In 2006, there were 868 fewer deaths on America's roadways. Missouri accounted for 161 of those lives saved. That means that a state that makes up less than 2 percent of the nation's population accounted for 19 percent of lives saved on America's roads. We led the nation in lives saved. That is proof of how far we've come.

In 2007, the great news continued. Together with the Highway Patrol, the Missouri Coalition for Roadway Safety and highway safety advocates throughout our state, we experienced 118 fewer deaths on our roads.

That reduction in fatalities put us below 1,000 for the first time since 1993, which met the goal of the Coalition for Roadway Safety a full year early.

Our work, however, is not finished. We have come a long way in reducing deaths on our roadways. We could have saved even more lives with a primary safety belt law - 90 more lives this last year alone.

Additionally, while highway fatalities are down overall, deaths among motorcyclists are up. We must have a renewed focus on motorcycle safety and I urge you to never add to these deaths by repealing Missouri's helmet law.

We must also ensure that law enforcement officers have the tools they need to help keep our roads safe. I commend Sen. Ryan McKenna for proposing a dedicated revenue stream for the Highway Patrol that will mean more funding for law enforcement and more lives saved on Missouri's roadways.

We have come a long way decreasing fatalities and part of the reason is that Missouri's roads

have gotten smoother and safer -- soon.

In 2006, we delivered 2,200 miles of smoother, safer roads a full year ahead of schedule. We are now building on that success with our Better Roads, Brighter Future initiative which will result in 5,600 miles of major roads with smooth pavement; brighter, wider striping; larger signs; rumble stripes; and, in most cases, a minimum four-foot paved shoulder all by 2012.

With just one year of Better Roads, Brighter Future completed, 78 percent of our major roads are now in good condition as compared to 44 percent just five years ago. That is progress that benefits all of us. That is an example of how far we've come.

The vast improvement of our highway system has gained national attention. The respected Reason Foundation released a report in 2007 analyzing the overall performance of every state's highway system.

Missouri climbed from 39<sup>th</sup> to 17<sup>th</sup> between 2000 and 2005 including an eleven-spot jump from 2004 to 2005 - the second biggest improvement in the country. And that was prior to the full effects of the Smooth Roads Initiative or any of the positive improvements through Better Roads, Brighter Future, which will undoubtedly move us up the rankings in future years.

The Reason Report also cited MoDOT's low administrative costs, making up only two percent of our budget, as playing a key role in the performance of our highway system. Missouri was listed as having the third lowest administrative costs per mile of any state in the nation. Our performance is being recognized nationally and is improving everyday. That is proof of how far we've come!

We are delivering significant results for the people of Missouri and we are saving them significant money while we do it.

Construction contracts awarded in Fiscal Year 2007 came in 7.4 percent under budget. That was a 90 million dollar savings - 90 million dollars more for road and bridge improvements. For Fiscal Year 2008, so far we are at 114 million dollars or 14 percent under budget.

Additionally, all projects in our five-year plan that were sped up due to Amendment 3 funding have been awarded to a contractor. With 100 percent of these projects under contract, we came in at four percent under budget. That is even more savings for even more highway improvements. That is an example of how far we've come!

But, construction is not the only place we are saving money. We have reduced workers compensation costs seven million dollars. That savings comes from an unwavering emphasis on worker safety that delivered a 69 percent reduction in lost work days, which also means MoDOT employees are more productive and are accomplishing more for Missourians.

By reducing costs. By spending taxpayer money wisely. We are getting the best value for every dollar spent and we are able to think big when it comes to delivering transportation "wow" to the people of Missouri.

"Wow" was not the word that passed the lips of people in St. Louis when they found out we

would be closing separate five-mile sections of Interstate 64 each of the next two years. I can't repeat many of those words here.

We closed the first five miles in the heart of the St. Louis region on January 2. Prior to the closure, headlines screamed predictions like "Apocalypse Now!" and "Traffic Nightmare!"

We, along with Gateway Contractors, St. Louis County, the city of St. Louis and the Highway Patrol, did everything in our power to keep those prophecies from becoming realities. We also provided a three million dollar incentive to Metro to increase ridership.

The people listened and, to their credit, the headlines immediately after the closure read "So far, so good," "Region's traffic nightmare a no-show," "Preparation Pays Off," and "Closure Off to Smooth Start." Commuters have adjusted their habits and have helped the region avoid its predicted traffic nightmare.

I particularly appreciated a letter from Representative Scott Muschany in which he states, "The smoothness of the entire project to date is a great testimony to your department's planning and regional leadership. The old MoDOT could not have pulled this off five years ago."

To further demonstrate the success of the project, the presidents' of Civic Progress, the Regional Chamber and Growth Association and the Regional Business Council jointly said in a letter "We look forward to more projects designed and managed by MoDOT, working together in making the region a more attractive place for business and continually improving economic opportunity and prosperity."

In 2010, St. Louis will enjoy ten miles of new, smooth pavement; 30 new, safer and more attractive bridges; and a new, safer high-speed interchange at Interstate 170. All of these improvements will be completed in three years instead of seven. That is real progress in our largest Metropolitan area. That is the biggest highway project in Missouri history. That shows how far we've come!

While the predicted crisis on I-64 didn't happen, we did have to respond to a real crisis right here in Jefferson City on November 27, 2007. We knew we had to act fast when an 8,000-gallon fuel tanker overturned and exploded on Highway 54 causing extensive damage to the Jefferson Street Overpass.

Within days, a complete replacement of the overpass was under contract. Working through snow, ice and extremely cold weather MoDOT employees and contractor Pace Construction tore down, rebuilt and reopened the overpass in just 37 days. Normally, this project would have taken months under the best conditions. That shows what we can do. That shows how far we've come!

The I-64 and Jefferson Street Overpass Teams are here today. Lesley Hoffarth and Tom Blair of MoDOT, Charlie Dooley and Garry Earls from St. Louis County, Captain Ron Johnson of the Highway Patrol and Ray Friem from Metro, as well as the Jefferson Street Overpass Team of Christopher Graham, Bryan Hartnagel and Jay Bestgen are in the gallery. I ask that they all stand and be recognized.

Bridges were certainly a major concern for motorists in 2007. The collapse of the Interstate 35 Bridge in Minneapolis directed renewed attention to the need for reliable transportation infrastructure and, particularly, bridge safety. We acted immediately to inspect all bridges similar in design to the one in Minnesota and to ensure their safety.

It is imperative, though, that we take major action to address a vast number of bridges quickly. With over 10,000 bridges, Missouri has the seventh most of any state in the union. We face a crisis as more than 1,000 are structurally in serious condition. Many are one step away from being closed.

That is why we initiated our Safe and Sound Bridge Improvement Program. 802 of our worst bridges will be repaired or replaced by 2013. I thank Gov. Blunt for calling a special session and the General Assembly for passing legislation to make sure this vital initiative moves forward.

In the aftermath of the Minneapolis bridge collapse, the nation was looking for answers and many eyes turned to the Show-Me State. Headlines nationally and internationally pointed to Missouri's innovative Safe and Sound Bridge initiative as a possible model for the entire nation.

Members of Congress took note and are watching our progress closely to see how it can be applied elsewhere. Even the Secretary of the United States Department of Transportation Mary Peters said that the Safe and Sound Bridge Program is "...attracting national attention for its especially creative approach...."

As of today, we are in the final stages of negotiations with Missouri Bridge Partners trying to bring this program to fruition.

While Safe and Sound will fix more than 800 bridges, it will not address our large river bridges that span more than 1,000 feet. I am pleased, however, that the Paseo Bridge in Kansas City will soon be replaced with a landmark structure. In November 2007, we awarded a contract that will lessen traffic congestion and increase mobility while adding an iconic bridge to the city's skyline.

The I-29 and I-35 connector project, known as kcICON, will result in safer, more convenient travel and a beautiful bridge that will be a Kansas City landmark for many decades to come.

This was also a landmark project because of the level of community involvement in its design. A 12-member citizen's advisory panel spent untold hours volunteering their time to choose a bridge that would add a dramatic architectural marvel to the city's skyline. They were given unprecedented access and input and their decision was final. That is a first in our nation. The result will be a bridge of which all Missourians can be proud. A bridge that shows how far we've come!

I am also pleased to report that Missouri and Illinois are in almost daily contact regarding another critical bridge project, the New Mississippi River Bridge in St. Louis. I remain hopeful that an agreement can be reached soon to move this project forward.

Unfortunately, there are many more major river bridges in Missouri that need to be replaced or repaired. In fact, we have more than any other state and more than 25 states combined.

To replace all the large bridges that need to be fixed would cost seven billion dollars. To make sure they are at least in satisfactory condition would cost 300 to 500 million dollars over 10 years. Either way we don't have the money.

Which brings me to another important topic. What would a State of Transportation Address be without a discussion of funding? It wouldn't be this one.

The perfect storm continues to brew on the transportation horizon. Three major factors are stirring up gale force winds that are coming on like a freight train set to arrive in 2010.

At that time, Amendment 3 bond money will be used up. We have been able to make great improvements to our highways and bridges quickly because of voter mandated bonding, but the proceeds dry up and future Amendment 3 revenues will go to repay the bonds.

On the federal front, money for highways is set to plummet unless Congress takes bold steps to prevent the tumble. In 2010, we will likely go from a 43 billion dollar federal highway program to a 25 billion dollar one -- a forty percent drop.

While we produce projects of great value through radical cost controls and budget management, the fact is our dollars are buying fewer projects overall because of rising costs for the materials that go into our roads and bridges.

For example, since 1997 state revenue for roads and bridges has grown 36 percent. At the same time, asphalt prices rose 97 percent - almost three times as much. Concrete has risen 48 percent. Steel has increased 57 percent. And, fuel to mow right of ways and move dirt has increased an incredible 204 percent.

In 2010, these factors converge and the bottom drops out of Missouri's transportation funding. We go from a 1.2 billion dollar construction program in 2005 to a 569 million dollar one. From the largest highway-building program in Missouri history to one where we will struggle to maintain roads. We will go from an improving highway system to one that is deteriorating.

And while I would love to stand here and expound on all the great achievements we have had making our other modes of transportation better, funding for those vital services has never been adequate. It is showing.

Ridership on Amtrak is growing in every state - except Missouri. Infrequent trips. Consistent delays of two hours or more. Passengers having to ride buses. It is little wonder Missourians are not flocking to Amtrak.

We have a plan to address Amtrak. It starts with allocating an additional 10 million dollars in funding to add tracks and install electronic on time messaging at stations across the state. I urge your support for this package. We must keep passenger rail viable in Missouri.

At the same time, I commend Gov. Blunt for proposing a four million dollar increase in funding for ports. Missouri is blessed with an abundance of waterways. It is imperative we invest more in this underused freight movement and transportation mode. We must see similar investment in

aviation, public transit and bike and pedestrian facilities.

I am very concerned that the investments made in transportation by our grandparents that have given us unprecedented mobility and prosperity are not being made by our generation. Our children and grandchildren will not enjoy the same economic advantages and quality of life because of our refusal to pass along a comparable legacy.

Clearly, our transportation needs are great. The people of Missouri have identified 37 billion dollars in transportation priorities over the next 20 years. We project only 19 billion dollars in funding. That means an 18 billion dollar gap, not including inflation, between our needs and our ability to meet them. While the public has filet mignon expectations, MoDOT has Filet O' Fish funding.

I am encouraged that the discussion of transportation funding is ongoing and vibrant. More and more policy makers and key public opinion leaders are expressing concern about our looming funding crisis. They are exploring options for keeping us from going over the cliff.

Sen. Bill Stouffer and Rep. Neal St. Onge deserve credit for putting forward proposals that would dramatically increase funding for transportation. They are also leading efforts to educate the public about this dire situation.

Other innovative proposals have been put forth such as Sen. John Loudon's legislation to dedicate a portion of the growth in general revenue to transportation. Meanwhile, Sen. Matt Bartle continues to promote tolls as another tool to pay for needed highway improvements. I commend their leadership.

The discussion of funding must also include public private partnerships. Private sector investment in public sector improvements is a fact of life in today's global economy. I appreciate that Representative Charlie Schlottach has recognized that fact and is seeking to make public private partnerships a more readily available option for funding vital transportation projects.

The needs that directly impact our state's economic competitiveness are not going away. Our two busiest interstates, I-70 and I-44, are overcrowded and that congestion is growing everyday. They also have been stretched beyond their limits. The seven billion dollars necessary to completely rebuild and expand them -- with dedicated truck lanes to separate 18-wheelers from family sedans-- is a monetary illusion as we stand today.

What isn't an illusion is that climate change is an issue we must address. Discussions about transportation from here on out will include greater emphasis on environmentally sensitive approaches and solutions.

MoDOT is doing its part to be a greener organization and to protect the environment. We are using recycled roof shingles, tires and other materials in our pavement. In 2007, MoDOT used more than three million tons of asphalt containing recycled material on 1,020 miles of highway. Our efforts earned us the State Recycling Award last year.

At the same time, our entire vehicle fleet uses E-85 ethanol fuel and we use more biodiesel than all other state agencies combined. Plus, we are the first government agency in the nation to use

hybrid bucket trucks. We are dedicated to being good stewards of the environment and we know that projects like the reconstruction of I-70 and I-44 must have a significant green focus.

There is no question environmental issues will play a large role in the reconstruction of these two interstates. There is, however, a question about how we will reconstruct them and the answer is more funding.

But, why should you trust us with more money? Because we have come a long way in just five years and we have shown you the results.

During my first address to the General Assembly, I made a lot of bold statements about how MoDOT would improve dramatically and as a result so would Missouri's transportation system.

I also said that I understood this is the Show-Me State and that we would have to show you the results. At that point, Speaker Rod Jetton started clapping verifying that we would indeed have to show him.

I would like to read you a quote from last December. "I gave MoDOT a hard time when it didn't perform well, and I feel I should brag on MoDOT now that it has things fixed. I am proud of MoDOT and the job it is doing. Seven years ago I never thought I would be able to say that. I can tell you it's great for Missouri. It's great for our economy. And, most importantly, it's great for our families."

I think you know where I'm going with this. The person who said that is Speaker Rod Jetton. We showed the speaker results and we are showing all Missourians results. That shows how far we've come!

The Show-me state is seeing results. We have installed median guard cables on I-70, I-44 and other interstates virtually eliminating cross over fatalities. We have expanded customer service to where you can reach a live person at MoDOT 24 hours a day, seven days a week, 365 days a year. We have reduced roadway fatalities by 23 percent in two years. We have gone from the third worst highway system in the country to an estimated ninth best.

We have come in under budget on 5.7 billion dollars in highway construction since 2003. And, we have saved 500 million dollars through Practical Design, which delivers highway improvements without unnecessary frills.

Secretary of Transportation Mary Peters has said that "The Show-Me State is showing America how to deliver highway projects on budget and on schedule, and even ahead of schedule."

We are showing the nation and we are showing Missourians how far we've come. Customer satisfaction in MoDOT has climbed dramatically since 1999. 79 percent of Missourians say they think MoDOT is credible and worthy of their trust. That shows how far we've come!

We have come a long way in a short time. We are saving lives. We are making highways smoother. We are saving taxpayers' money. We are involving and listening to citizens. We have regained the trust of the people of this state.

Our remarkable turnaround has been noticed nationally and in our state. In November of last year, MoDOT won the prestigious Missouri Quality Award. We went through a rigorous review and emerged with an award that recognizes innovation, leadership, customer service, efficiency and that confirms we are a high performing organization on par with past winners like Boeing, Anheuser-Busch and Sprint. Winning the Missouri Quality Award demonstrates how far we've come!

We have come a long way, but we know success is not a destination -- it is a journey. And, the only way we succeed is together. For MoDOT's part, we remain committed to our mission of "Providing a world-class transportation experience that delights our customers and promotes a prosperous Missouri."

I bring this final address to a close, however, with a statement I made in 2005. We have shown you amazing progress. But, you ain't seen nothin' yet!

Thank you and may God bless your travels.

**PUBLIC PRIVATE PARTNERSHIP PROPOSAL FILED:** On Feb. 4, Rep. Charlie Schlottach (R-Owensville) filed HB 1974. This bill would expand the use of private investment in funding public transportation infrastructure. Current law limits the use of a public private partnership for transportation infrastructure to constructing only a new Mississippi River Bridge. The proposal filed by Rep. Schlottach would expand the authority to allow private investment for funding projects including any bridge, street, road, highway, access road, interchange, intersection, traffic sign, traffic device, traffic or pedestrian control signal, parking lot, bus stop, station, garage, terminal, hanger, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail or other mass transit, pipelines, and any similar or related improvement or infrastructure.

Many states are faced with a transportation-funding crisis and have looked favorably at public private partnerships to close the funding gap.

This bill has not yet been assigned to committee.

**BILL TO REVOKE MOTORCYCLE HELMET USE PASSED BY COMMITTEE:** On Feb. 6, immediately following Director Pete Rahn's State of the Transportation Address where Rahn asked legislators to not repeal Missouri's helmet law, the Special Committee on Homeland Security heard HB 1393, sponsored by Rep. Gary Dusenberg (R-Blue Springs). The bill would no longer require individuals twenty-one years of age and older to wear a helmet when operating or riding as a passenger on a motorcycle. Currently, all motorcyclists are required to wear a helmet. The Special Committee on Homeland Security, chaired by Rep. Dusenberg, passed the bill with a vote of 8 to 0 in favor of the bill.

Testifying in support of the bill was Steven Carroll with Freedom of Road Riders (FORR). Carroll said FORR supports the bill because wearing a helmet should be a choice and current law is costing the state tourism dollars. Also testifying in support of the bill was Dr. Michael Yoshida. Dr. Yoshida, a Doctor of Physics, said he nearly had an accident due to his helmet acting as an oven, causing him to sweat and then mixing with sunscreen, which caused him to temporarily go blind. Terry Cook, American Motorcyclist Association, said he does not want

safety mandated and the current bill changes a way of life for motorcycle riders. Mike “Taz” Moellor, a member of FORR, said helmets harm people because the strap goes under a person’s esophagus. Joseph Bryan, Farmers Insurance, said he has not received any motorcycle claims and he wants the choice to wear a helmet like the citizens of China. Edward Shepard with American Bikers Aimed Toward Education (ABATE) said he would like out of state motorcyclists to visit Missouri, however with the law today, motorcyclists avoid the state. Others in favor of the bill included Dean Gunter, Coldwell Banker Gordon Company Realtors; John Stouffer and William Kempker, FORR; William and Angela Clayton; Martha Voshida; Robert Hawkins; Dan Elbert; E.J. Haas; Donald Vandegriffe; and Larry, John and Ann Jones.

Testifying in opposition to the bill was Leanna Depue, MoDOT’s Director of Highway Safety. Dr. Depue informed the committee that if the bill should pass it would increase fatalities in Missouri. She provided statistics, including information concerning Arkansas, Texas, Kentucky, and Louisiana, which all had increases in motorcycle related fatalities after changing their helmet law. Dr. Depue reported to the committee that in the last five years 416 people were killed due to motorcycle related accidents. Depue said roads are not free, they are a privilege to use and requirements are associated to their use, therefore the least amount of protection the state can ask to be worn is a helmet. Also, Depue explained that motorcycle accidents strain the states resources because state emergency personnel must respond to the accidents.

Also testifying in opposition to the bill was Tom Holloway with Missouri State Medical Association who spoke for emergency room physicians stating helmets save lives. Others in opposition of the bill were Phil Wright, Missouri Safety Center and Missouri Nurses Association; Dale Findlay, Missouri Safety Council and Missouri Coalition for Roadway Safety; Mo McCullough, Eastern, Western and Central Missouri Psychiatric Societies; Jodi Winegar, Property Casualty Insurers Association of America; Kyna Iman, Missouri Nurses Association; Betsy Morgan, Missouri College of Emergency Physicians; and David Hale, Missouri Hospital Association.

The committee passed the bill and it now waits to be debated on the House floor.

**MEMORIAL HIGHWAY DESIGNATIONS HEARD:** On Feb. 6, Senator Delbert Scott (R-Lowry City) introduced SB 1026 to the Senate Transportation Committee. SB 1026 would name a portion of State Highway 13 as the “Rick Seiner Memorial Highway.” Rick Seiner, 53, was an emergency medical technician who was killed on Sept. 2, 2005 when hit by a car while working a motor vehicle accident scene.

The committee took no action on the bill.

**UCR PROPOSAL ADVANCES:** SCS/SB 760, sponsored by Sen. Bill Stouffer (R-Napton), was approved with a consent vote by the Senate Transportation Committee on Feb. 6. The bill authorizes the Missouri Highways and Transportation Commission (MHTC) to take the necessary steps to implement and administer a state plan to conform to the Unified Carrier Registration Act (UCR Act) of 2005. This bill is a priority for the MHTC and MoDOT during the 2008 session.

The bill now waits for floor debate in the Senate.

**ESTABLISHMENT OF THE REGIONAL RAILROAD AUTHORITIES ACT:** On Feb. 6, Senator John Loudon (R-Ballwin) introduced SB 905 to the Senate Transportation Committee. SB 905 would establish the “Regional Railroad Authorities Act” which would provide for the preservation, improvement and the continuation of rail service for agriculture, industry, or passenger traffic and would provide for the preservation of railroad right-of-way for transportation uses, when determined practicable and necessary for public welfare.

Al Harper with American Heritage Railways testified in favor of the bill. Mr. Harper said he would like the opportunity to bid on the use of the Rock Island Railroad and this bill creates the authority necessary to do so and will allow for the potential to acquire federal, state and local funds that would be needed to repair the rail infrastructure. Also testifying in favor of the bill was DJ Roberts, North American Railroad Museums and Blaine Luetkemeyer, Missouri Division of Tourism.

Opposed to the bill was Bill Gamble with Missouri Railroad Association. Gamble said free enterprise currently exists therefore the bill is not necessary. In addition, Gamble said the bill should make MoDOT responsible for inspecting all railroad tracks and should not create exemptions to the payment of property taxes. Also opposed to the bill was Tom Voss with Ameren UE who said this bill is the first step in taking Ameren UE’s property (who currently owns most of the existing Rock Island property), their railroad is not for sale and they do not want to give up ownership. Voss said he believes the bill is unnecessary legislation and it is hurting business. Others testifying against the bill were David Klarich, Missouri Association of Trial Attorneys; Warren Wood, Missouri Energy Development Association; and Kevin Murphy, Associated Electric Cooperatives.

The committee took no action on the bill.

**HOUSE AGRICULTURE POLICY COMMITTEE HEARS BILL ON NOXIOUS WEEDS:** The House Agriculture Policy Committee met on Feb. 7. The committee heard testimony on HB 1483, sponsored by Rep. Don Wells (R-Cabool). This bill would declare Sericea Lespedeza and Spotted Knapweed as noxious weeds. Rep. Wells filed this bill on behalf of his constituents.

Testifying in support of HB 1483 were Tom Hansen, from the University of Missouri Greene County Extension; Eldon Cole, from the University of Missouri Lawrence County Extension; Leslie Holloway, Missouri Farm Bureau; and Joe Whetstine, Texas County Commissioner.

Testifying in opposition was Severin Poirot who is a farmer from northwest Lawrence County who raises Sericea Lespedeza and sells the seed.

Rand Swanigan, MoDOT’s Roadside Management Specialist, testified for informational purposes only. Mr. Swanigan presented an overview to the committee on the steps that the department has been taking in regards to noxious weeds. He stated that MoDOT has an ongoing working relationship with the University of Missouri Extension to try to identify these types of plants and prevent them from spreading. If passed into law, this bill could cost MoDOT about \$49 million to chemically treat and replant and implement soil erosion techniques in areas where Sericea Lespedeza and Spotted Knapweed once grew.

The committee took no action on the bill.

**REPUBLICANS RETAIN 2 VACANT HOUSE SEATS, DEMOCRATS HOLD THIRD HOUSE SEAT DURING RECENT ELECTION:** On Feb. 5, special elections were held to fill three vacant seats in the House of Representatives. The three House seats were up for grabs after lawmakers resigned because of new job opportunities or criminal convictions.

While the Republicans already control the House, the elections did not affect the balance of power in a chamber where they already had an 89-69 majority. Two of the 163 House seats still remain vacant and probably will not be filled by the Nov. 2008 General Election when all of the House and one-half of the Senate seats are up for grabs.

Winners from Tuesday's election include:

Republican Mary Kasten, from Cape Girardeau. Ms. Kasten formerly held a House seat from 1983 to 2001. The seat was vacated by Rep. Nathan Cooper (R), of Cape Girardeau, who resigned last summer after pleading guilty to one felony count of visa fraud and one felony count of making a false statement to the Department of Labor.

Republican Mark Parkinson from St. Charles won the vacant seat left by Republican House Speaker Pro Tem Carl Bearden who resigned and became a lobbyist. Mr. Parkinson is a former aide for U.S. Sen. Kit Bond.

Democrats held a seat in St. Louis, with Michele Kratky running unopposed to fill her husband's seat; Fred Kratky. Mr. Kratky resigned from his seat in 2007 to become the executive vice president and chief executive officer for the St. Louis Association of Realtors.

Two vacant House seats remain. Republican Tom Dempsey of St. Charles resigned in 2007 to run a successful bid for the Missouri Senate. Democratic John Bowman, of St. Louis, recently stepped down from office after his guilty plea to a misdemeanor count of bribing a bank official.

**LEGISLATIVE MATRIX:** Attached is Governmental Relations weekly updated matrix, which shows some of the more important transportation bills that the department is tracking. If you should have any questions about these or any other pending legislative proposals, contact GR at 573.522.9284.

***UPCOMING TRANSPORTATION EVENTS:***

- March 14 to March 25 – Legislative Spring Break
- May 16 – Last day of the 2008 legislative session



**MoDOT**  
**Bill Progress Matrix**  
 2/8/2008

\***Bills/text in bold** are new to the matrix or received action since the last report

\***Highlighted bills** are MHTC/MoDOT 2008 Priorities

Bill	Description	Author	1st-Chamber	Comm Report	Passed	2nd-Chamber	Comm Report	Passed	Signed/Veto
HB 1299	Changes the definition of "all-terrain vehicle" to include certain utility vehicles manufactured and used exclusively for off-highway use	Kuessner	3-Dec						
HB 1309	Allows any family member older than 21 years of age to give written permission for a temporary instruction permit application and to occupy the seat beside the driver with a temporary permit	Day	3-Dec						
HB 1326	Authorizes an individual income tax deduction for the purchase of a hybrid motor vehicle	Sater	3-Dec						
HB 1329	Allows a registrant of any utility trailer, recreational vehicle trailer, camper trailer, or boat trailer with an unloaded weight of 3,000 pounds or less to permanently register the trailer for \$52.50	Sater	3-Dec						
HB 1333	Increases the amount that may be recovered through civil action from a landowner who knowingly allows certain noxious weeds to grow on his or her property	Sater	3-Dec						
HB 1338	Prevents any state entity from completely shutting down a state highway with a certain traffic volume for a continuous period exceeding two months	Muschany	3-Dec						

\*Bills/text in bold are new to the matrix or received action since the last report

\*Highlighted bills are MHTC/MoDOT 2008 Priorities

Bill	Description	Author	1st-Chamber	Comm Report	Passed	2nd-Chamber	Comm Report	Passed	Signed/Veto
HB 1354	Exempts certain "implements of husbandry" from the titling, registration, and license plate requirements of Chapter 301, RSMo	Wilson-119	5-Dec	5-Feb					
HB 1363	Exempts motor fuel used for agricultural purposes from sales and use taxes.	Cunningham	5-Dec						
HB 1373	Requires any American or Missouri flag flown over state buildings to be made in the United States	Day	7-Dec						
HB 1376	Establishes the Missouri Universal Red Light Enforcement Act which allows political entities to establish automated photo red light enforcement systems to detect red light signal violations	Portwood	7-Dec						
HB 1388	Prohibits persons from operating a motorcycle or motortricycle while carrying a passenger ten years of age or younger	Cox	11-Dec						
HB 1389	Changes the laws regarding surface mining and gravel excavation	Loehner	11-Dec						
HB 1393	Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle	Dusenberg	11-Dec						
HB 1406	Establishes the "drunk driving victim memorial sign program"	Deeken	12-Dec	5-Feb					
HB 1409	Allows persons who have been convicted more than twice of driving while intoxicated to obtain an ignition interlock restricted license for a one-year period if the person meets certain requirements	Deeken	12-Dec						

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Bill	Description	Author	1st-Chamber	Comm Report	Passed	2nd-Chamber	Comm Report	Passed	Signed/Veto
HB 1421	Expands the crimes of involuntary manslaughter and assault of a law enforcement officer, emergency personnel, or probation and parole officer in all degrees to include highway workers in work zones	St. Onge	13-Dec						
HB 1422	Authorizes the Highways and Transportation Commission to implement and administer a state plan to conform with the federal Unified Carrier Registration Act of 2005	St. Onge	13-Dec						
HB 1423	Requires offenders to obtain an ignition interlock device for their first DWI conviction.	St. Onge	13-Dec						
HB 1428	Changes the laws regarding mitigation of damages when the plaintiff was not wearing a safety belt	Kraus	14-Dec						
HB 1429	Prohibits a person from operating a motor vehicle on public property while using a wireless telephone with certain exceptions	Smith - 14	14-Dec						
HB 1451	Allows a person to petition the circuit court for a trial de novo as an alternative to seeking judicial review of an agency decision - Identical to HB 1820	Roorda	18-Dec						
HB 1459	Requires applicants for motorcycle endorsements to complete motorcycle training coursework	Faith	18-Dec						
HB 1482	Defines "utility vehicle" and regulates the operation and use of utility vehicles	Wells	19-Dec						
HB 1483	Designates spotted knapweed and sericea lespedeza as noxious weeds	Wells	19-Dec						

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HB 1486	Exempts cars newer than six years old from motor vehicle safety inspection requirements	Brown - 30	19-Dec						
HB 1500	Names a portion of Highway 80 in New Madrid County the "Gene Curtis Memorial Highway"	Hodges	20-Dec						
HB 1525	Requires law enforcement agencies to establish a rotation list of towing truck companies to be used for removing disabled vehicles in their jurisdiction	Franz	3-Jan						
HB 1535	Modifies the state employee payroll deductions for health insurance to include cafeteria plan fees	Deeken	7-Jan						
HB 1545	Increases the cost-of-living adjustment for certain special consultants and retirees from 80% to 100% of the federal Consumer Price Index	Bruns	7-Jan						
HB 1563	Regulates speed limits for certain motor vehicles and the number of consecutive hours a driver may operate a motor vehicle within the state	LeVota	8-Jan						
HB 1564	Repeals the motor vehicle safety inspection program effective January 1, 2009	LeVota	8-Jan						
HB 1575	Names a portion of Highway 87 in Moniteau County the "Lance Corporal Leon B. Deraps Memorial Highway"	Jones-117	9-Jan	5-Feb					
HB 1589	Requires commercial vehicle enforcement officers to meet the mandatory standards for basic training and licensure of peace officers	Muzlinger	10-Jan						
HB 1590	Noxious weeds; hazardous substance cleanup; fuel tax exemption for farm equipment and machinery; and establishment of a commission to promote alternative fueled vehicles.	Muzlinger	10-Jan						

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HB 1632	Makes it an unlawful employment practice to subject an employee to an abusive work environment or to retaliate against an employee who opposes that type of environment	Wildberger	14-Jan						
HB 1639	Changes the laws regarding the Aviation Trust Fund and air traffic control towers	Bruns	14-Jan						
HB 1642	Relieves a county, city, or agency and its employees from any suit by an offender providing services and said offender shall not be deemed an employee.; relates to intoxication-related traffic offenses and changes age of person who may request an order to expunge records of arrest; and declares commercial motor vehicle officers as peace officers	Lipke	15-Jan						
HB 1646	Designates the Table Rock Lake Bridge on Highway 39 in Shell Knob as the "State Senator Larry Gene Taylor Memorial Bridge"	Viebrock	15-Jan						
HB 1663	Changes the standard for violation of the Open Meetings and Records Law, commonly known as the Sunshine Law, by a governmental body from knowingly to negligently	Young	15-Jan						
HB 1665	Renames the portion of Interstate 70 currently known as "Mark McGwire Highway" to the "John F. Bass Memorial Highway".	El-Amin	15-Jan						
HB 1669	Requires that certain veterans who have been state employees for a specified period of time and who meet certain eligibility requirements be given two years of creditable service in MOSERS	Jones-117	15-Jan						
HB 1679	Specifies that the purchase price for calculating the sales tax of a motor vehicle excludes the cost to modify the vehicle for use by an individual with a disability	Meiners	16-Jan						

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Bill	Description	Author	1st-Chamber	Comm Report	Passed	2nd-Chamber	Comm Report	Passed	Signed/Veto
HB 1686	Authorizes a motor fuel tax holiday for gasoline and diesel fuel used in a personal vehicle for a four-day period during the Memorial Day and Labor Day holiday weekends	Nolte	16-Jan						
HB 1702	Creates the crime of using a mobile communication device while operating a motor vehicle if the driver is younger than eighteen years of age	Brown - 30	16-Jan						
HB 1708	Increases the penalty for certain commercial drivers who are convicted of operating a commercial vehicle under the influence of alcohol or drugs from a class B to a class A misdemeanor	Pollock	17-Jan						
HB 1721	Establishes a price cap on the cost of natural gas and gasoline but allows for increases due to inflation	Talboy	17-Jan						
HB 1728	Changes the laws regarding strategic litigation against public participation	Bivins	17-Jan						
HB 1736	Establishes the Missouri Illegal Immigration Relief Act to assist the federal government in enforcing federal immigration laws	Schneider	17-Jan						
HB 1737	Exempts motor fuel used in school buses from motor fuel tax when driven to transport students for educational purposes	Wallace	17-Jan						
HB 1772	Enacts provisions relating to automated traffic control devices	Jones-117	22-Jan						
HB 1776	Prohibits discrimination based upon a person's sexual orientation	Talboy	22-Jan						

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HB 1785	Requires railroad corporations and companies to provide or make available counseling to railroad workers involved in an accident which results in a death or serious bodily injury	Meadows	23-Jan						
HB 1786	Requires the department of transportation to develop and implement a pavement management system for each mile of roadway on the state highway system	Meadows	23-Jan						
HB 1800	Establishes additional requirements for individuals younger than 18 years of age to obtain an intermediate driver's license	Smith - 14	23-Jan						
HB 1810	Changes the laws regarding state and local sales taxes, property taxes, and motor fuel taxes	Cooper - 120	24-Jan						
HB 1811	Establishes certain employee rights	Hunter	24-Jan						
HB 1819	Modifies the law regarding the Scenic Byway Program	Roorda	24-Jan						
HB 1820	Allows an employee of the state or any of its political subdivisions to petition the circuit court for a trial de novo as an alternative to seeking judicial review of an agency decision on employment - Identical to HB 1451	Roorda	24-Jan						
HB 1825	Requires government and public agencies to break up a contract into smaller contracts if the size of the overall contract precludes the use of in-state firms or contractors	Komo	24-Jan						
HB 1833	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state	Bland	24-Jan						

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HB 1845	Requires window stickers instead of license plate stickers to show current motor vehicle registration	Low	24-Jan						
HB 1853	Requires any public governmental body to make and retain a verbatim audio recording of any closed meeting	Bivins	24-Jan						
HB 1887	Designates a portion of Highway 13 in Polk County as the "Rick Seiner Memorial Highway"	Parson	29-Jan						
HB 1905	Adds "tourist attractions" to the list of attractions eligible to receive signs under section 226.525, RSMo	Schlottach	29-Jan						
HB 1908	Allows for automated speed enforcement in work zones	St. Onge	29-Jan						
HB 1926	Exempts all vehicles assembled and sold in this state from state and local sales and use tax	Frame	30-Jan						
HB 1937	<b>Relates to voting methods established a Transportation Development District</b>	<b>Pearce</b>	<b>31-Jan</b>						
HB 1939	<b>Relates to living wages paid to certain contractor employees where there is a state contract for services of \$100,000 or more; provides that each eligible employee shall be paid at least eight dollars and fifty cents per hour and allows an employer to reduce the living wage by no more than fifty cents per hour to be contributed to an employee's deferred compensation plan.</b>	<b>Bowman</b>	<b>31-Jan</b>						
HB 1948	<b>Missouri Blasting Safety Act</b>	<b>Skaggs</b>	<b>31-Jan</b>						
HB 1952	Designates the U.S. Highway 63 Gasconade River Bridge in Maries County as the "Roy Bassett Memorial Bridge."	Loehner	31-Jan						

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Bill	Description	Author	1st-Chamber	Comm Report	Passed	2nd-Chamber	Comm Report	Passed	Signed/Veto
<b>HB 1954</b>	<b>State employee annual salary adjustments in an amount rounded to the nearest multiple of one hundred dollars, equal to the percentage of such annual rate based upon the Consumer Price Index.</b>	<b>Dixon</b>	<b>31-Jan</b>						
<b>HB 1974</b>	<b>Authorizes PPPs for all transportation infrastructure needs, including signing, traffic signals and multimodal improvements</b>	<b>Schlottach</b>	<b>4-Feb</b>						
<b>HB 1996</b>	<b>Comparative fault for operating a motorcycle</b>	<b>Pratt</b>	<b>6-Feb</b>						
HB 2020	Appropriates money for supplemental purposes for the several departments and offices of state government, for the purchase of equipment, planning, expenses for the fiscal period ending 5-30-2008	Icet	23-Jan	31-Jan	7-Feb	7-Feb			
<b>HB 2030</b>	<b>Public Employment Relations Act</b>	<b>Lowe</b>	<b>6-Feb</b>						
HCR 3	State of the State of Transportation on February 6, 2008	Tilley	9-Jan		9-Jan		14-Jan		
HCR 15	Urges the Federal Motor Carrier Safety Administration to establish a controlled pilot program allowing 19 to 21 year-olds to obtain a CDL for interstate commerce	Kuessner	24-Jan						
HJR 50	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation	Dusenberg	11-Dec						
HJR 53	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation	LeVota	8-Jan						

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HJR 62	Proposes a constitutional amendment giving the power of eminent domain to the state and its political subdivisions whose officials are directly responsible to elected officials	Harris - 110	31-Jan						
SB 722	This act exempts fuel tax on motor fuel used for school buses, by school districts or persons contracted with school districts to provide school bus services.	Coleman	3-Dec						
SB 725	This act allows taxpayers who trade-in or sell a motor vehicle, trailer, boat, or outboard motor for more than the purchase price of another motor vehicle, trailer, boat or outboard motor to apply any excess to any subsequent purchase of such an article within one hundred and eighty days of the original sale of such article.	Scott	3-Dec						
SB 728	Designates a portion of U.S. Highway 169 as the "Deputy Charles M. Cook Memorial Highway".	Shields	3-Dec						
SB 731	Exempts certain motorists from submitting their motor vehicles to safety or emissions inspections when renewing their registrations if certain conditions are met	Griesheimer	3-Dec						
SB 753	Designates a portion of state highway 84 as the "Corporal Rickey L. Bell Memorial Highway".	Mayer	3-Dec						
SB 760	Authorizes the State Highways and Transportation Commission to take the necessary steps to implement and administer a state plan to conform with the Unified Carrier Registration Act of 2005	Stouffer	3-Dec						
SB 761	Modifies various laws relating to transportation and the regulation of motor vehicles. Also includes UCR & Annual Bid Bonds.	Stouffer	3-Dec	7-Feb					

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SB 774	Regulates the use of utility vehicles upon the highways of Missouri	Shoemyer	3-Dec						
SB 793	Allows Department of Transportation to construct toll roads under certain conditions	Bartle	3-Dec						
SB 809	Imposes various billboard standards to billboards adjacent to Interstate 70 and Interstate 44 during period of interstate construction	Stouffer	3-Dec						
SB 810	Requires all diesel fuel sold at retail in Missouri after April 1, 2010 to be biodiesel-blended fuel	Stouffer	3-Dec						
SB 837	Creates the Public Employee Due Process Act	Bray	3-Dec						
SB 841	Increases weight limit for certain motor vehicles equipped with idle reduction technology.	Stouffer	3-Dec						
SB 845	Prohibits local governments from annexing certain state-owned land for the purpose of establishing contiguity to other land for annexation	Rupp	3-Dec						
SB 858	Modifies the law relating to illegal immigrants	Rupp	3-Dec						
SB 860	Prohibits the condemnation of property owned by a gun club or sportsmen's club.	Shoemyer	3-Dec						
SB 867	Requires state employee salaries to be annually adjusted by the consumer price index.	Shoemyer	3-Dec						

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SB 872	This act provides that signs which were legally erected according to legal standards in effect prior to August 28, 2002, but which fail to comply with new legal standards on that date shall be considered as legal conforming out of standard signs under Missouri law. Such signs shall not be considered nonconforming for failure to comply with subsequently adopted sign standards.	Stouffer	12-Dec						
SB 881	Establishes the drunk driving memorial sign program	Green	18-Dec						
SB 884	Modifies Missouri's seat belt law by making it applicable to all passengers and allows for primary enforcement	Graham	18-Dec						
SB 887	Prohibits the operation of a motor vehicle while using a wireless telephone under certain circumstances	Dempsey	18-Dec						
SB 892	Prohibits local governments from using automated photo red light enforcement systems unless the traffic control signals are also equipped with devices that display the numerical time remaining before the signals will display a red signal	Green	18-Dec						
SB 904	Modifies provisions pertaining to the Underground Facility Safety and Damage Prevention Act - Adds MoDOT to Missouri One Call	Griesheimer	3-Jan						
SB 905	Establishes the Regional Railroad Authorities Act	Loudon	4-Jan						
SB 906	Designates a portion of state highway 87 in Moniteau County as the "Lance Corporal Leon B. Deraps Memorial Highway"	Vogel	7-Jan						

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SB 919	Assesses fee on shippers that transport radioactive waste within Missouri	Rupp	8-Jan						
SB 924	Creates a state and local sales tax exemption for sales of motor vehicles assembled and sold in this state	Koster	9-Jan						
SB 927	Amends law relating to the hiring of unqualified employees on public projects	Green	10-Jan						
SB 930	Removes cap on amount of aviation generated revenue that may be deposited in state aviation trust fund and expands purposes for which moneys in the aviation trust fund may be used	Stouffer	10-Jan						
SB 937	Allows utility vehicles to be operated upon Missouri highways	Shoemyer	14-Jan						
SB 944	Modifies the fees the Auditor receives for registering bonds	Engler	15-Jan						
SB 947	Increases the cap on amount of aviation generated revenue that may be deposited in state aviation trust fund and expands purposes for which moneys in the aviation trust fund may be used	Kennedy	15-Jan						
SB 953	Extends expiration date for public governmental bodies to close certain security-related records	Scott	15-Jan						
SB 955	Allows motor vehicle owners to receive refunds for unused registration fees under certain conditions	Shields	15-Jan						
SB 961	Repeals existing provisions of law that have expired, sunset, terminated or become ineffective	Goodman	16-Jan						
SB 963	Requires law enforcement agencies to establish rotation lists of towing truck companies to be called for removing disabled vehicles	Stouffer	16-Jan						

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SB 981	Designates the plant spotted knapweed as a noxious weed	Purgason	22-Jan						
SB 1019	Prohibits discrimination based upon a person's sexual orientation	Bray	24-Jan						
SB 1024	Modifies provisions relating to liability for tort claims against the state or state entities created under the Housing Authorities Laws	Scott	28-Jan						
SB 1026	Designates a portion of State Highway 13 as the "Rick Seiner Memorial Highway"	Scott	28-Jan						
SB 1067	<b>Provides that persons 21 years of age and older are not required to wear a helmet when operating or riding a motorcycle, unless they are on an interstate highway. Any person who operates or rides as a passenger on any motorcycle on the interstate without a helmet may be fined \$25.</b>	Ridgeway	31-Jan						
SB 1077	<b>Under this act, the general prohibition against indemnity agreements is expanded to specifically prohibit agreements to hold harmless the negligence of the other person's officers, employees, or agents.</b>	Goodman	4-Feb						
SB 1091	<b>Requires the MHTC to promulgate rules where railroad corporations and companies are to provide or make available counseling to railroad workers involved in an accident which results in a death or serious bodily injury</b>	Bray	6-Feb						

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SJR 31	This proposed constitutional amendment authorizes the Highway & Transportation Commission to conduct feasibility studies, fund, design, acquire, construct, maintain, and operate toll facilities.	Bartle	3-Dec						
SJR 40	Creates a state-wide sales and use tax to fund the Missouri Highway Patrol.	McKenna	2-Jan						
SJR 43	Distributes ten percent of general revenue growth to the State Road Fund and the State Transportation Fund	Loudon	17-Jan						