

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1196

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BARNETT, OSTMANN, MOORE, KELLY (27), COOPER, LUETKENHAUS, ROSS, LUETKEMEYER, MAY (149), CRAWFORD, SHIELDS, KOLLER (Co-sponsors), ROARK, HUNTER, NAEGER, TOWNLEY, KELLY (36), BARTELSMEYER, BEARDEN, REINHART, HOSMER, GASKILL, GRAHAM, BURTON AND PHILLIPS.

Pre-filed December 12, 2001, and 1000 copies ordered printed.

Read 1st time January 9, 2002.

Read 2nd time January 10, 2002, and referred to the Committee on Transportation, January 29, 2002.

Reported from the Committee on Transportation March 7, 2002, with recommendation that the bill Do Pass by Consent.

Perfected by Consent March 19, 2002.

TED WEDEL, Chief Clerk

2522L.02P

AN ACT

To repeal section 226.200, RSMo, and to enact in lieu thereof one new section relating to the state highways and transportation department fund.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 226.200, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.200, to read as follows:

226.200. 1. There is hereby created a "State Highways and Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:

- (1) Money arising from the sale of bonds;
- (2) Money received from the United States government; or
- (3) Money received for some particular use or uses other than for the payment of

12 principal and interest on outstanding state road bonds.

13 2. Subject to the limitations of subsection 3 of this section, from said fund shall be paid
14 or credited the cost:

15 (1) Of collection of all said state revenue derived from highway users as an incident to
16 their use or right to use the highways of the state;

17 (2) Of maintaining the state highways and transportation commission;

18 (3) Of maintaining the state transportation department;

19 (4) Of any workers' compensation for state transportation department employees;

20 (5) Of the share of the transportation department in any retirement program for state
21 employees, only as may be provided by law; and

22 (6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

23 3. For all future fiscal years, the total amount of appropriations from the state highways
24 and transportation department fund for all state offices and departments, **except for the Missouri**
25 **highway patrol**, shall not exceed the total amount appropriated for such offices and departments
26 from said fund for fiscal year 2001.

27 4. The provisions of subsection 3 of this section shall not apply to appropriations from
28 the state highways and transportation department fund to the highways and transportation
29 commission and the state transportation department or to appropriations to the office of
30 administration for department of transportation employee fringe benefits and OASDHI payments,
31 or to appropriations to the department of revenue for motor vehicle fuel tax refunds under
32 chapter 142, RSMo, or to appropriations to the department of revenue for refunds or
33 overpayments or erroneous payments from the state highways and transportation department
34 fund.

35 5. All interest earned upon the state highways and transportation department fund shall
36 be deposited in and to the credit of such fund.

37 6. Any balance remaining in said fund after payment of said costs shall be transferred
38 to the state road fund.

39 7. Notwithstanding the provisions of subsection 2 of this section to the contrary, any
40 funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo,
41 after April 1, 1992, shall not be used for administrative purposes or administrative expenses of
42 the transportation department.